

POST-9/11 ISLAMOPHOBIA: PROMOTING INTERFAITH HARMONY AND GLOBAL PEACE

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Abstract: The post-9/11 situation has brought several changes in the world and there are winners and losers in this process. Unfortunately, the Muslim World is one of the main losers in this regard. This situation does not help in bringing global peace and prosperity; rather, it creates more problems. This paper is an effort to analyse this situation. It argues that the global media is an important source of informal education. But unfortunately it is dominated by major global players and they use it to influence global opinion by defaming Islam and Muslims. Although this piece of research acknowledges some pro-Islamic views reported in the global media, they are well in minority and thus do not influence the global opinion. This strategy is not helpful in promoting global peace when on several occasions Islam has been branded a violent religion while Muslims are labelled as terrorists. This short piece of research highlights the need for concrete measures and suggests some steps that can be taken for the building of mutual confidence between the Muslim and the non-Muslim world.

Needless to say, the events of the 11 September 2001 have changed the course of history. This transformed global situation in general and that of the Muslim World in particular, raises various questions, e.g., what is the way forward to initiate a process of mutual trust and stability in order to overcome the current crises? How can the Muslim countries play an effective role in global peace and prosperity? Can the major global players help the Muslim World in the promotion of peace and prosperity? This paper attempts to explore answers to these and similar questions. The discussion reflects the importance and the role of the global media with regard to the process of informal mass education and maintenance of global peace. In this context, as argued by Fred Halliday, it is particularly true that 'no subject in contemporary public discussion has attracted more confused discussion than that of relations between 'Islam' and the 'West'.¹ Here, with reference to the

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¹ Fred Halliday, 'West Encountering Islam: Islamophobia Reconsidered', in Ali Mohammadi (ed.), *Islam Encountering Globalisation*, London: Routledge Curzon, 2002, p. 14.

context, I think it would be appropriate to begin with three quotations regarding the Western world's assumptions about Islam in the western world:

As western leaders attempted to forge the New World Order, transnational Islam may increasingly come to be regarded as the new global monolithic enemy of the West (John L. Esposito, *Islamic Threat*, p. 5).

To some Americans searching for a new enemy against whom to try our mettle and power after the death of communism, Islam is the preferred antagonist (P.L. Buchanan, 'Is Islam an Enemy of the US,' *Sunday News*, New Hampshire, 22 December 1990).

Many Americans tend to stereotype Muslims as uncivilized, unwashed, barbaric, irrational people. ... [Islam] will pose a major challenge and the West will be forced to form a new alliance with Moscow to confront a hostile and aggressive Muslim world (Richard Nixon, *Seize the Moment*, pp. 194-95)²

Informal Education: Promotion of Tolerance or Violence?

Informal education refers to learning taking place outside of a formal educational organisation. It is a life-long process by means of which an individual acquires knowledge and skills through day-to-day experience, educative influences and other available resources within his or her reach.³ In recent years the mass media has become the most important source of informal education as well as a force for bringing political change through propaganda. The colossal advances in communications brought about by the use of satellite and computer technology has made 'mass' media what it is, information accessible by all. Sophisticated technology has now made it possible to send a message, such as to preach a gospel not only to hundreds or thousand but also to millions of people spread all over the globe.⁴

Education is at the heart of humanistic development. In the modern age, the goals of future-oriented education are defined by the development process as the collective vision of the 'global village'. In Islamic literature, there is enormous emphasis on the acquisition of knowledge. The first verse of the Quran was a command to the Prophet Mohammad (*pbuh*) to read, learn and understand (Quran, 96: 1-4). According to Quranic teachings, God gave man the ability to observe, think and to write so that he could circulate knowledge broadly and preserve his cultural heritage for coming generations. The World Conference on Education for All (jointly sponsored by UNESCO, UNICEF,

² Quoted in S.M. Koreshi, *New World Order: Western Fundamentalism in Action* (Islamabad: Institute of Policy Studies, 1995), p. 191.

³ R.A. Farooq, *Orientation of Educationists* (Islamabad: Asia Society for Promotion of Innovation and Reforms in Education, 1998), p. 123.

⁴ Shahida Kazi, "The Role of the Mass Media in Creating Awareness about Women's Literacy in Pakistan", in Tahera Aftab (ed.), *Challenge for Change: Literacy for the Girls of Today, the Women of Tomorrow* (Karachi: Centre of Excellence for Women's Studies, 1995), pp. 96-102.

UNDP and the World Bank) held in 1990 at Jomtien (Thailand), adopted the 'World Declaration on Education for All'.⁵ Although in this conference the emphasis was only on the provision of formal basic education to the masses of developing countries in the contemporary age of globalisation, the importance of informal education cannot be underestimated. Unfortunately, whether it is formal or informal education in the post-9/11 era, there is widespread propaganda about the Muslim World. For instance, with regard to the promotion of religious extremism for the politico-strategic interests of the United States through supplying jihad schoolbooks in Afghanistan, Jared Israel uncovered an important point. In his words:

Have you heard about the Afghan Jihad Schoolbook scandal? Because it has been unreported in the Western media that the US government shipped millions of Islamist (that's short for Islamic fundamentalist) textbooks into Afghanistan. According to *Washington Post* investigators, over the past twenty years the US has spent millions of dollars producing fanatical schoolbooks, which were then distributed in Afghanistan. "The primers which were filled with talk of jihad and featured drawing of guns, bullets, soldiers and mines, have served since then as the Afghan school system's core curriculum. Even the Taliban used American-produced books (*Washington Post*, 23 March 2002).⁶

The author of this paper remembers that during mid-2002, BBC Television in its regular news bulletin strongly criticised the Taliban for using these books in schools. However, it was not disclosed who supplied these book to the Taliban. Possibly this is part of the systematised campaign to keep Islam and Muslims out of the circle of any goodwill. This argument is also supported by *The Times Weekend*. In an article entitled 'The West is Still Demonising Islam,' it writes that: '...one religion seems excluded from this circle of goodwill. For nearly a thousand years, the Western world has cultivated a distorted vision of Islam which bears little relation to the truth but which shows no sign of abating, even in the more tolerant climate of today's world. ... The distortions cultivated by the West do not reflect the fact that Islam had for centuries a better record of tolerance... Yet Western people are reluctant to accept this, because their view of "Islam" is bound up with their perception of themselves. ... If Western secularists cannot transcend the negative portrait of Islam that they have inherited, they too, will have failed to live up to their highest ideals.'⁷ Marcel Boisard argued: 'The matter in which the Prophet [Mohammad] and his successors addressed the kings and leaders of non-Muslim people shows that they treated them as equal. ... History shows that Muslim authorities, without

⁵ UNDP, UNESCO, UNICEF and The World Bank, *World Declaration on Education for All and Framework for Action to Meet Basic Learning Needs* (New York: UNDP, UNESCO, UNICEF and The World Bank, 1990).

⁶ Jared Israel, *Bush and the Media Cover-up the Jihad Schoolbook Scandal* <[http:// www. emperors-clothes.com/ articles/ jared/ jihad.htm](http://www.emperors-clothes.com/articles/jared/jihad.htm)>, 15 April 2002.

⁷ *The Times Weekend*, 27 May 2000.

renouncing the universality of Islam, were bound by a certain number of specific legal obligations in their dealings with foreign nations.⁸ Prince Charles also agrees with Boisard. In his lecture at Oxford, he said: ‘Medieval Islam was a religion of remarkable tolerance for its times, allowing Jews and Christians the right to practice their inherited beliefs, and setting an example which was not unfortunately, copied for many centuries in the West.’⁹

Thus, is Islam a religion of tolerance or terror? Qureshi argued that ‘tolerance’ is the basic pillar of Islam.¹⁰ ‘The Arabic word *Islam* simply means “submission,” and is derived from a word meaning peace.’¹¹ It strongly condemns aggression and terrorism. According to the Islamic philosophy, peace is at one and the same time, an achievement of human beings and a gift of God. It means that human beings have to bring their thoughts and actions into harmony, thus in this way integrity develops, which is fertile soil for the germination and growth of peace. It can safely be argued that this stage is the salvation of every human being.¹²

Global Media

In the context that the global media is an important source of informal education, it would be appropriate to quote Aleksandr Solzhenitsyn who says: ‘Such as it is, the press has become the greatest power within the Western World, more powerful than the legislature, the executive and the judiciary. One would like to ask; by whom has it been elected and to whom is it responsible?’¹³ It is beyond doubt that in the current age, the news media, particularly the electronic media, is the most important as well as the most effective source of information. But does the media present a clear and correct picture of day-to-day global events. Unfortunately, in the views of Johann Galtung, a distinguished academician, the answer is ‘no’.¹⁴ With regard to the coverage of

⁸ Marcel A. Boisard, *Humanism in Islam* (Indianapolis: America Trust Publications, 1986), p. 160.

⁹ Prince Charles, a lecture delivered on 27 October, 1993 at Oxford University. Quoted in S.M. Koreshi, *New World Order: Western Fundamentalism in Action* (Islamabad: Institute of Policy Studies, 1995), pp. 204-05.

¹⁰ Moin Qureshi, ‘Islamic Civilisation,’ *The Daily Dawn: Internet Edition* <<http://www.DAWN.com>>, 26 May 2000.

¹¹ Embassy of Saudi Arabia (Washington), *Understanding Islam and Muslims*, Cambridge: Islamic Text Society, 1989, p. 3.

¹² Quran (59: 23)

¹³ Aleksandr Solzhenitsyn quoted in David Duke, *Who Runs the Media?* <http://www.duke.org/awakening/chapter19_01.html>, 15 December 2001.

¹⁴ Johann Galtung is a Professor of Peace Studies in the United States.

violence, he laid down 12 points of concern where the impartiality of the media is in question.¹⁵

- i) Decontextualising violence: focusing on the irrational without looking at the reasons for unresolved conflicts and polarization.
- ii) Dualism: reducing the number of parties in a conflict to two, when often more are involved. Stories that just focus on internal developments often ignore such outside or 'external' focus as foreign governments and transnational companies.
- iii) Mechanism: Portraying one side as good and demonising the other as 'evil'.
- iv) Armageddon: presenting violence as inevitable, omitting alternatives.
- v) Focusing on individual acts of violence while avoiding structural causes, like poverty, government neglect and military or police repression.
- vi) Confusion: focusing only on the conflict arena (i.e., the battlefield or location of incidents) but not on the forces and factors that influence the violence.
- vii) Excluding and omitting the bereaved, thus never explaining why there are acts of revenge and spirals of violence.
- viii) Failure to explore the causes of escalation and the impact of media coverage itself.
- ix) Failure to explore the goals of outside interventions, especially big powers.
- x) Failure to explore peaceful proposals and offer images of peaceful outcomes.
- xi) Confusing cease-fires and negotiations with actual peace.
- xii) Omitting reconciliation: conflicts tend to re-emerge if attention is not paid to efforts to heal fractured societies. When news about attempts to resolve conflicts is absent, fatalism is reinforced. That can help engender even more violence, when people have no images or information about possible peaceful outcomes and the promise of healing.

Whether it is the post-9/11 situation, or the Gulf War, Palestine-Israel conflict, dispute between India and Pakistan over Kashmir, Afghanistan, Balkan region, Western Sahara or East Timor; careful consideration highlights the validity of Galtung's points. Several examples can be quoted in this regard. For instance, in an article in *The Independent*, Middle East correspondent Robert Fisk, says:

¹⁵ Quoted by Danny Schechter, *Covering Violence: How Should Media Handle Conflicts?* <<http://www.mediachannel.org/views/dissector/coveringviolence.shtml>>, 28 May 2002.

In a major surrender to Israeli diplomatic pressure, BBC officials in London have banned their staff in Britain and the Middle East from referring to Israel's policy of murdering its guerrilla opponents as "assassination". BBC reporters have been told that in future they are to use Israel's own euphemism for the murders, calling them "targeted killings". ... Up to 60 Palestinian activists – numerous civilians, including two children killed last week – have been gunned down by Israeli death squads or missile-firing Israeli helicopter pilots. The White House has gently chided Israel about these attacks, but already this week the BBC has been using the phrase "targeted attacks" for the policy of murder. Palestinian killing of Israelis, however, is regularly referred to – accurately – as "murder" or "assassination".¹⁶

Unfortunately the image of Muslims as projected by the media is often distorted, fragmented and clouded by fast changing global events. 'Sometimes, a selective and unfamiliar aspect of a particular Muslim country's social behaviour is projected as if it were a universally practiced tradition of Islam. The entertainment industry, especially the film-makers in Hollywood, with very few exceptions, have shown deep bias presenting Arabs or Muslims of the Third World countries as uncouth, uncivilised and rogues.'¹⁷

Propaganda Model

Kevin Doyle in his article entitled 'Anyone for a Brain Wash?', quotes the theory of the 'propaganda model' presented by Herman and Chomsky. According to this concept, instead of producing the required facts about the global situation, modern media shapes and reshapes news through a systematised doctoring process in which some of the facts are under-reported or misreported while others are totally ignored.¹⁸ This is a completely unjustified approach to the informal education of the global masses. This situation promotes division within the 'global village', which enhances global human insecurity and instability, and can be observed more clearly after 9/11. Unfortunately, in the contemporary uni-polar world, without any independent and impartial enquiry, the US government and its intelligence agencies, which have a strong influence on global media, are blaming Islam and Muslims for the events of 9/11. If some Arab Muslims are branded terrorists, it does not prove that over a billion Muslims of the world are responsible for this tragedy. Charley Reese supports this idea and argues that: 'I wish more Americans had an opportunity to get to know Muslims. Then they would not be susceptible to the

¹⁶ Robert Fisk, 'BBC Staff are Told Not to Call Israeli Killings 'Assassination'', *The Independent*, 4 August 2001.

¹⁷ True Islam, *The Perception of Islam* <<http://www.trueislam.free-online.co.uk/islamophobia/perception.htm>>, 23 May 2002.

¹⁸ Kevin Doyle, *Anyone for a Brain Wash?* <http://flag.blackened.net/revolt/ws98/ws54_media.html>, 22 May 2002.

silly anti-Muslim propaganda. ... Muslims are good folks.¹⁹ This argument is also supported by the Stockholm International Forum on Combating Intolerance held in January 2001. The Forum ‘condemned prejudice against Muslims and called on governments to combat it just as they often have committed themselves to fighting racism, anti-Semitism, and xenophobia.’²⁰

Noam Chomsky is a famous American scholar. ‘No one disputes that Chomsky revolutionised the study of languages more than 40 years ago. The rich and powerful have no quarrel with his work as the world’s most significant linguist. But as a political analyst, he is pretty much persona non grata at big US networks and influential dailies. At major media outlets, most editors seem far more interested in facile putdowns of Chomsky than in allowing space for his own words. Since September 11, the distortions have been predictable. Although he is an unequivocal opponent of terrorism in all its forms, he is portrayed as an apologist for terrorism.’²¹

Distortion of Realities

Unfortunately, the above discussion reflects that, with few exceptions, the global media presents a distorted picture of Islam and Muslims. Most of the energies of Muslim countries and communities are being spent to prove that they are not intolerant, violent and trouble creators. The destruction of the centuries’ old Babri Mosque by Hindu extremists in India can be presented as an example in this regard. Although the attainment of peace and human security should be of prime importance, how can it be justified that millions of Muslims should forget this incident by giving up their legal and moral demand for the restoration of the Mosque. It is noteworthy that rather than highlighting the root cause of the trouble, CNN projected a so-called ‘compromised offer on Indian temple’ made by an extremist Hindu leader in which he says: ‘I appeal to Muslim brothers to stop raising objections about the undisputed land that VHP [Vishwa Hindu Parishad] wants. The solution to end the hatred between the two communities is to hand over the Ram Janambhomi [birthplace of Lord Rama] to Hindus.’²² One may wonder whether it is an offer of compromise or continuation of oppression. From the above discussion, it is not difficult to judge how the Media distorts and keeps the global masses ignorant of ground realities. Similar views are also presented by the former president of CBS News,

¹⁹ Charley Reese, *Muslims are Good Folks*

<<http://www.shianews.com/hi/articles/politics/0000234.php>>, 22 May 2002.

²⁰ Paul Goble, “World: Analysis from Washington – Combating Islamophobia”, *Radio Liberty – Radio Free Europe*

<<http://www.rferl.org/nca/features/2001/02/01022001111334.asp>>, 23 May 2002.

²¹ Arab Media Watch, *Noam Chomsky: Saying What Media Don't Want Us to Hear* <<http://www.arabmediawatch.com/reports/reading/art7.htm>>, 28 May 2002.

²² CNN, *Compromise Offer on Indian Temple* <<http://www.worldnews.printthis.clickability.com/...>>, 6 March 2002.

former president of NBC and former chief of staff of the *New York Times*. In their own words:

Our job is to give people not what they want, but what we decide they ought to have (Richard Salent, Former President CBS News).²³

News is what someone wants to suppress. Every thing else is advertising (Rubin Frank, Former President NBC).²⁴

There is no such thing, at this date of the world's history, as an independent press. You know it and I know it. There is not one of you who dare to write your honest opinions, and if you did, you know before hand that it would never appear in print. I am paid weekly for keeping my honest opinions out of the paper I am connected with. Others of you are paid similar salaries for similar things, and any of you who would be so foolish as to write honest opinion would be out on the streets looking for another job. If I allowed my honest opinions to appear in one issue of my paper, before twenty-four hours my occupation would be gone. The business of the journalist is to destroy the truth; to lie outright; to prevent; to vilify; to fawn at the feet of Mammon, and to sell the country for his daily bread. You know it, I know it, and what folly is this toasting an independent press. We are the tools and vassals of the rich men behind the scenes. We are jumping jacks, they pull the strings and we dance. Our talents, our possibilities and our lives are all the property of other men. We are intellectual prostitutes (John Swinton, Former Chief of Staff, *New York Times*).²⁵

The above statements are also supported by Carol Valentine, a famous American writer. In her article entitled 'Press Uses Actors in War on Islam', she reveals:

The Washington Times had faked two photos in its coverage of the War on Islam. One actor was used twice: first as an enemy of America, then nine days later, as a friend of America. ... On October 20, 2001, *The Washington Times* ran an 8x6 inches color photo above the fold on the front page. The caption under the photo reads: "Face of hate: A Muslim man looks up at the stage as he prays at an anti-America rally in Peshawar, Pakistan. ... On October 29, *The Washington Times* featured another photograph, again credited to Gerald Herbert, this one measuring 8x5 inches. It also appeared above the fold. The caption under the photo reads: Friends and relatives of Afghan military opposition commander Abdul Haq pray at a gathering at his home in Peshawar, Pakistan yesterday. The legendary mujahideen leader was captured and executed by the Taliban in southern Afghanistan. ... This shame illustrates the contrived nature of the War

²³ What Really Happened, *Media "Distortions"* <<http://www.whatreallyhappened.com/RANCHO/LIE/lie.html>>, 5 May 2002.

²⁴ *Ibid.*

²⁵ *Ibid.* The website reveals that these comments were passed by Swinton in prestigious New York Press Club. Swinton is a highly respected personality and due to his

on Islam. It indicates that those who run the press in America are those who designed this war. ... This country is slaughtering thousands of Afghans who have committed no crimes against us, in order to steel Afghani mineral and oil wealth, to trigger a larger war against other Islamic nations.²⁶

Islam or 'Islamophobia'?

What is Islamophobia? The Runnymede Trust defines this concept as the 'unfounded hostility towards Islam. It also refers to the practical consequences of such hostility in unfair discrimination against Muslim individuals and communities, and to the exclusion of Muslims from mainstream political and social affairs.'²⁷ William Dalrymple argues that 'such prejudices against Muslims – and the spread of idiotic stereotypes of Muslim behaviour and beliefs – and anti-Muslim racism now seems in many ways to be replacing anti-Semitism as the principal Western expression of bigotry against the other.'²⁸

The above discussion highlights the fact that the misunderstandings concerning Islam and the Muslim World, and the barrage of global media propaganda, have created an environment of mutual distrust between the Muslim and the Non-Muslim worlds (particularly the Western World). The Western press, especially American and British newspapers, play a leading role in presenting a negative image of Islam. In 1992, a 'London Times cartoon showed a Muslim wiping a blood-stained sword on a union flag, with a murdered woman behind him.'²⁹ In its report on Islamophobia The Runnymede Trust's comments about this cartoon is as follows: 'A further stock image is the evil Muslim. He appears in cartoons not to raise a laugh but to send a shiver down the spine. He is shown here shortly after committing an unusually brutal murder. The accompanying article [Bernard Levin, *The Times*, 13 January 1992, © Peter Brookes] makes it clear that he is wiping his crescent-shaped sword clean with a Union Jack because he is contemptuous of British hospitality, yet also confident that liberal do-gooders and multiculturalists in Britain will not

command on his profession, he was called 'The Dean of His Profession' by his colleagues.

²⁶ Carol A. Valentine, "Press Uses Actors in War on Islam" <[http://www. public-action.com/ 911/ casting.html](http://www.public-action.com/911/casting.html)>, 2 April 2002.

²⁷ The Runnymede Trust – Commission on British Muslims and Islamophobia, *Islamophobia a Challenge for Us All*, London: The Runnymede Trust, 1997, p. 4.

²⁸ William Dalrymple quoted in Jeremy Hanzell-Thomas, "The Language of Islamophobia". Paper presented in a Conference on *Exploring Islamophobia*, jointly organised by FAIR (Forum Against Islamophobia and Racism), City Circle and Ar-Rum at the University of Westminster, London, 29 September 2001.

²⁹ Robert Fisk, "The West's Fear of Islam is no Excuse for Racism", *The Independent*, 3 November 1999.

pursue him with all the rigour of law, since he committed the murder for the believers; good Muslim reasons.³⁰

Another cartoon appeared in a September 2002 issue of the weekly *Economist* in which a skeleton-shaped person, fully covered with traditional Islamic dress was holding a crescent like blade of a sword, tied with a rotten stick. The person is throwing darts at the American map. A careful consideration of this cartoon reflects that Islam is an outdated, horrible and violent religion. It further indicates that Muslims are a bad flock and the only enemy of America.³¹ Unfortunately, even children's entertainment does not escape from hostility against Islam. Siddiqi (a distinguished professor of journalism and public relations in the United States) argues: 'Muslims were shocked and surprised to note that in one of the most popular Disney movies for children, *The Lion King*, when the evil-natured hyenas were shown, a crescent appears on the horizon. The crescent has been used as an Islamic symbol in many of the Muslim arts and paintings. Equating darkness and evil with Islam is yet another way to dehumanise Muslims and portray them as enemies.'³² Is this the picture of Islam, which the press wants to project? The Muslim World is particularly irritated by the global media's use of certain terms of categorisation such as, fundamentalism, terrorism, isolation, rogue state. In many cases the governments of most Muslim countries spend an inordinate amount of their time and energy trying to prove that they are not supporting fundamentalism and terrorism.

Terms such as 'isolation' and 'sanctions' are not only harmful to the Muslim World but also to humankind in general. The economic deprivation and sufferings imposed upon a country through the policies of containment, isolation and sanctions are bound to result in frustration and disparity. Iran, Iraq, Sudan and Afghanistan are only a few examples in this regard. Abdul Qader Tash (22 June 1997), editor in chief of the *Arab News*, in referring to the Western media image of Islam, put it rightly when he said:

A distorted image of Islam and Arabs has unfortunately been a feature of the American media for over a century. According to Professor Jack Shaheen of the University of Southern Illinois (author of *The TV Arab* and internationally recognised authority on the subject of anti-Arab and anti-Islam stereotypes in the US), in the past 100 years, Hollywood has produced more than 700 films whose contents vilify Islam and Arabs. Extending his study beyond Hollywood films, Shaheen also examined more than 250 comic books published during the past 50 years. He also looked at hundreds of children's cartoons and more than 450 children's films, from an early one in 1893 to Walt Disney's *Aladdin* in

³⁰ The Runnymede Trust (The Commission on British Muslim and Islamophobia), *Islamophobia a Challenge for Us All* (London: The Runnymede Trust, 1997), p. 23.

³¹ "Lexington: A Ghastly Probability", *The Economist*, 14 September 2002, p. 52.

³² Mohammad Ahmadullah Siddiqi, *Islam, Muslims and Media: Myths and Realities* (Chicago: NAAMPS Publications, 1997), p. 38.

1993. [In his own words], [h]is conclusion is: ‘My research has indicated that the terms ‘Arab’ and ‘Muslim’ draw a hostile reaction from the public as they find it difficult to differentiate between reality and imagination. Perhaps no people anywhere in the world, other than 270 million Arabs, have been so grossly misunderstood. Similarly Islam, the faith of over a billion Muslims, including 6-8 million in the United States, is the religion that has suffered more than any other because of general ignorance about it.’³³

Tash further argued that:

The religion [Islam] and its followers are being maligned. The systematic distortion of their image is no longer a minor irritant that can be ignored. Some of those who have made a study of this phenomenon call it ‘Islamophobia’, indicating thereby that the campaign has its roots in a morbid fear of Islam and that in the course of time, it will arouse the same fear in the public mind. The end result they believe will be the creation of a climate of hatred and distaste in these societies for everything Islamic. A number of Western thinkers and intellectuals have begun addressing the problem and warning people of its consequences. One such warning came recently from Professor Gordon Conway of Sussex University in Britain. Discussing the issue, he said that a careful look at the print media in particular would show the extent of anti-Muslim sentiments. In the tabloids, he pointed out, the attack against Islam was usually harsh and savage while in more respected papers it was subtler.³⁴

Anti-Islamic sentiments have increasingly become more publicly pronounced following the global resurgence of Islam. The above discussion reflects the real picture of the global situation in which a negative picture of Muslims and Islam is being painted. This is one of the main reasons that the Muslim population all over the world suffers more than any other religion. This situation can also be seen in *Economist – Millennium Special Edition*, in which a picture of God was published along with the following comments: ‘After a lengthy career, the Almighty recently passed into history. ... Few ordinary folk, though they had different names for him, doubted the reality of God. He was up there somewhere (up, not down; in his long career, no one ever located him on the seabed), always had been, and always should be. ... Yet why bother with proof, if everyone knew it anyway? One, because great brains are like that; two, because not everyone did. Out there were the gentiles, Saracens and such. But did not they too say, ‘There is no God but God’?³⁵ Anybody having even the slightest knowledge of Islam can clearly understand the meaning of this statement, the last sentence in particular. Is this a direct attack on Islam or merely a polite way to insult the second largest religion in the world?

³³ *Arab News*, “The West’s Clouded View of Arabs and Islam” <<http://www.arab.nrt/arabview/articles/tash27.html>>, 22 June 1997.

³⁴ *Ibid.*

³⁵ *Economist – Millennium Special Edition*, 31 December 1999, p. 135.

In his article published in early 2002 in an issue of the *Newsweek*, Woodward tries at least to prove that Islam is a religion of violence, and the Quran is full of confusion and repetition. He challenges the Muslim belief of whether the Quran is really the word of God. However, in contrast he praised Christianity and Jesus Christ. He writes: ‘Muhammad was not only a prophet but also a military commander who led Muslim armies into battle. Jesus, on the other hand, refused even to defend himself against the Roman soldiers who arrested him in the Garden of Gethsemane after he was betrayed with a kiss by Judas, one of his own disciples. The difference helps explain the contrasting attitudes towards war and violence in the Quran and the New Testament.’³⁶ Similarly, in an interview, the US Attorney General John Ashcroft said: ‘Islam is a religion in which God requires you to send your son to die for Him. Christianity is a faith in which God sends His son to die for you.’³⁷ Due to ignorance of history and Muslim civilisation, similar views have been expressed by Reverend Jerry Falwell, a leading member of the Southern Baptist Convention. In October 2002, he said: ‘I think Mohammed was a terrorist. ... He was a violent man, a man of war. ... In my opinion, Jesus set the example for love, as did Moses, and I think Mohammed set an opposite example’.³⁸ It is noteworthy that in spite of protests and condemnations of various Muslim organisations and leaders all over the world, US mainstream leaders remained silent on Falwell’s statement.

Unfortunately, after the 9/11 tragedy, hostility against Muslims has increased all over the world, as a large number of journalists, academicians and politicians are drum beating about Islamic terrorism. Jeremy Lott writes in *The American Prospect*: ‘Ann Coulter, the notorious bomb throwing lawyer/pundit, wrote a post-September 11 column for *National Review Online* in which she cautioned restraints in the coming months. ... [She argued] We [American] had been “invaded by a fanatical murderous cult” – Muslims – and should therefore “invade their countries, kill their leaders and convert them to Christianity.”³⁹ This is not a unique example of its kind as an even harsher view is presented by a journalist – Rich Lowry of the *National Review Online* in which he introduces the idea of ‘Nuking Mecca’, the holiest place of Islam. In its website, CAIR quotes his following statement:

³⁶ Kenneth L. Woodward, “In the Beginning: There Were the Holy Books”, *Newsweek*, 11 February 2002.

³⁷ Americans United for Separation of Church and State, *Ashcroft’s Statement on Islam shows Ongoing Pattern of Religious Insensitivity - Attorney General should Drop Religious Agenda* <<http://www.au.org/press/pr021202.htm>>, 7 March 2002.

³⁸ BBC, “Muslim Anger at Prophet Slur” <<http://news.bbc.co.uk/1/hi/world/americas/2304179.stm>>, 7 October 2002.

³⁹ Jeremy Lott, *National Review’s Editor Suggests Nuking Mecca: We Are Not Kidding* <<http://www.prospect.org/print-friendly/webfeatures/2002/03/lott-j-03-11.html>>, 7 September 2002. Also see: CAIR – The Council on American Islamic Relations [http://www.cair-net.org/asp/article.asp?articleid=687&articletype=], 7 September 2002.

Lots of sentiment for nuking Mecca. Moderates opt for something more along these lines: Baghdad and Tehran would be the likeliest sites for a first strike. If we have clean enough bombs to assure a pinpoint damage area, Gaza City and Ramallah would also be on list. Damascus, Cairo, Algiers, Tripoli and Riyadh should be put on alert that any sign of support for the attacks in their cities will bring immediate annihilation. ... This is a tough one, and I don't know quite what to think. Mecca seems extreme, of course, but then again few people would die and it would send a signal. Religions have suffered such catastrophic setbacks before... And, as a general matter, the time for seriousness – including figuring out what we could do in retaliation, so may be it can have some slight deterrent effect – is now rather than after thousands and thousands more American casualties.⁴⁰

The BBC revealed that 'there has been a marked increase in racial incidence in Wales following the 11 September attacks, according to the Commission for Racial Equality. Speaking to the Welsh Assembly on Wednesday, the commission's Dr. Mushuq Ally said school bullying incidents had trebled and children – particularly members of the Muslim community – had been abused in the streets. Added to that, he said, nearly all the country's mosques had either been attacked or received abusive mail. ... In the 10 days immediately after the terrorist strikes in America, there were around 100 incidents within Swansea, Cardiff and Newport on the Muslim community.'⁴¹ Realising the intensity of the problem, in September 2001, in his statement, the British Home Office Minister John Denham said that the government will act to cut out the 'cancer of Islamophobia. He further stated that 'real Islam is a religion of peace, tolerance and understanding.'⁴²

Unfortunately, this is not only a post-9/11 situation; Islamophobia has been on the rise during the pre-9/11 period. According to a report entitled 'Accommodating Diversity' published in August 2001, the incidents of discrimination against American Muslims rose 15 percent during March 2000 – March 2001. The report quoted over 360 cases of violence, bias, discrimination and harassment of Muslims.⁴³ Similarly, in November 1997, the Commission on British Muslim and Islam published its report entitled *Islamophobia: A Challenge For Us All*. The Commission chaired by the Vice-Chancellor of University of Sussex, consisted of seventeen members out of which six were Muslims. In

⁴⁰ CAIR – The Council on American Islamic Relations, *Editor Suggests "Nuking Mecca"* <<http://www.cair-net.org/asp/article.asp?articleid=687&articletype=>>, 7 September 2002.

⁴¹ BBC, "Rise in Racist Attacks Reported", 1 November 2001.

⁴² BBC News, *Pledge to Wipe out Islamophobia* <http://news.bbc.co.uk/hi/english/uk_politics/newsid_1570000/1570106.stm>, 29 September 2001.

⁴³ CAIR – Council on American-Islamic Relations, *Accommodating Diversity – The Status of Muslim Civil Rights in the United States 2001* <http://www.cair-net.org/civilrights/body_index.html>, 23 May 2002.

almost every sphere of life, the report clearly highlighted discrimination against Muslims as a religious group and not as an ethnic minority.⁴⁴ It also highlighted the point that various attempts to address the problem of racial discrimination in education were ridiculed in the mainstream media particularly by *The Sun* newspaper.⁴⁵ Such an unfortunate situation raises various questions. For example, in the words of Nusrat Khawaja:

Why can a nun be covered from head to toe and be respected for devoting herself to God but not a Muslim woman? She's 'oppressed' when she does that. Why can a Jew grow a beard and be described as practicing his faith but when a Muslim does that he's an extremist? When a western woman stays at home to look after the house and children she's is sacrificing herself and doing good for the house hold, but when a Muslim woman does so, she 'needs to be liberated.' What is that when a child dedicated himself to a subject, he has potential, when a child dedicated himself to Islam, he is hopeless? When a killer happens to be Christian, religion is not mentioned – such as IRA and Serb etc., but when a Muslim is charged with the crime, it's Islam that goes on trial. Why? But then again, why is it after all that Islam is still the fastest growing religion in the World?⁴⁶

The above views and arguments are also supported by the European Union Monitoring Centre's (EUMC) report on Islamophobia. EUMC reveals that in the post-9/11 era, the biggest rise in violent attacks had been noticed in Britain, Holland, Sweden and Denmark. Women wearing the hijab, the Muslim headscarf, had been insulted and even raped in a wave of attacks across the European Union. Furthermore, in various cities mosques were firebombed and windows of Muslim homes were smashed.⁴⁷ This was in spite of the fact that a famous British magazine argued that 'certainly, Islamic extremism is very rare in Britain. For example, out of some 1500 mosques, only two are known to be run

⁴⁴ The Commission on British Muslims and Islam, *Islamophobia: A Challenge For Us All*, London: The Runnymede Trust, November 1997. Also see: <<http://www.runnymedetrust.org/projects/islam/SUMMARY.PDF>>. It is noteworthy that the impartiality of this report cannot be considered beyond doubt. The report stresses the point that with regard to the Middle East situation, the Muslim community should be more tolerant toward Jewish community and thus they strongly condemn every action of violence against Jews. In 1994, the Trust also published a similar report on anti-Semitism (entitled: *A Very Light Sleeper*), however, no such advice were made to the Jewish community with regard to Palestinians or Muslims.

⁴⁵ The author of this paper personally remembers that immediately after the publishing this Report, *The Independent* published an article with the title 'In Defence of Islamophobia', written by a eminent journalist Polly Toynbee. The article reads: 'I am an Islamophobe and proud of it' (personal memo of the author).

⁴⁶ Nusrat Khawaja, "Ever Wonder Why?", *Impact International*, June 2001, p. 5.

⁴⁷ European Monitoring Centre on Racism and Xenophobia, *Anti-Islamic Reaction within the European Union After the Recent Acts of Terror Against the USA: A Collection of the EUMC of Country Reports from RAXEN National Focus Point (NFP)* <<http://www.eumc.eu.int/publications/terror-report/index.htm>>, 24 May 2002.

by extremists. But many young Muslims have a sense of alienation, which could, if things go wrong, tip them towards violence.⁴⁸

Beyond Islamophobia: Muslims and Christians Worship Different Gods?

A further unfortunate situation associated with Islamophobia is that sometimes it adopts the shape of extreme hate where even a universal truth is totally misinterpreted. In October 2001, Rev. Franklin Graham, the president of a Christian charity of the United States, made disgraceful comments about Islam and that Muslims believe in a different God. According to *The New York Times*: ‘Mr Graham said Islam had attacked the United States on September 11. He said that Muslims worshiped a different God to Christians and that he believed Islam to be “a very evil and wicked religion”.’⁴⁹ Similar, insulting remarks about Islam were also used by a famous French writer Michel Houellebecq. In his words Islam is ‘the most stupid religion’ and the Quran is ‘badly written.’ While defending his views in a court, he further added: ‘There is no point in asking me general questions because I am always changing my mind.’⁵⁰ This type of thinking reflects the ignorance regarding Islam and the Muslim belief. Such views are also projected by the global media. Possibly for this reason when on the 11th September, three planes hit US buildings, Muslims were immediately branded terrorists and Islam a violent religion. However, on the 5th January 2002, when a 15-year old boy crashed his plane into the 42-story Bank of America Plaza in downtown Tampa, neither his ‘religion’ was mentioned nor he was called as ‘terrorist’. This was in spite of the fact that in his hand-written note left behind, he supported 11th September attacks and expressed his solidarity with Osama bin Laden.⁵¹ Karen Armstrong, a famous British journalist rejects this type of attitude. She argues that:

A century ago, Muslim intellectuals admired the west. Why did we lose their goodwill? ... [T]he Koran, the inspired scripture that he [Prophet Mohammad (*pbuh*)] brought to the Arabs, condemned aggressive warfare and permits only a warfare of self-defence. ... In the Islamic empire, Jews, Christians and Zoroastrians enjoyed religious freedom. This reflected the teaching of the Koran, which is a pluralistic scripture, affirmative of other traditions. Muslims are commanded by God to respect the “people of the book”, and reminded that they share the same beliefs and the same God. Mohammad had not intended to

⁴⁸ *The Economist*, “How Restive are Europe’s Muslims?”, 20 October 2001, p. 45.

⁴⁹ Gustav Niebuhr, “Muslim Groups Seek to Meet Billy Graham’s Son”, *The New York Times*, 20 November 2001 <<http://www.nytimes.com/2001/11/20/national/20GRAH.html?Todayshelines>>, 20 November 2001.

⁵⁰ Paul Webster, “Calling Islam Stupid Lands Author in Court”, *Guardian* <<http://www.guardian.co.uk/international/story/0,3604,794047,00.html>>, 18 September 2002.

⁵¹ *Fox News*, “Police: 15-Year-Old Suicide Pilot Not a Terrorist” <<http://www.foxnes.com/story/0,2933,42334,00.html>>, 7 January 2002.

find a new religion; he was simply bringing the old religion of the Jews and the Christians to the Arabs. Constantly the Koran explains that Mohammad has not come to cancel out the revelations brought by Adam, Abraham, Moses or Jesus. ... We should also remember that until 1492, Jews and Christians lived peacefully and productively together in Muslim Spain – coexistence that was impossible elsewhere in Europe. At the beginning of the 20th century, nearly every single Muslim intellectual was in love with the west, admired its modern society, and campaigned for democracy and constitutional government in their own countries. Instead of seeing the west as their enemy, they recognised it as compatible with their own traditions. We should ask ourselves why we have lost this goodwill.⁵²

Unfortunately, the voice of Karen Armstrong and of other likeminded people does not make a significant difference. In 2002, an Italian American journalist Oriana Fallaci wrote a book entitled *La rabbia e l'orgoglio* in which she made every attempt to defame over a billion Muslims of the World. In her book, her hatred of Muslims is described in *The Economist*. The magazine quotes her as: “[S]ons of Allah”, who “breed like rats” invade Europe to soil the piazzas and bridges of the author’s native Florence with their “shit and piss” (“God, they piss a long stream, these sons of Allah”), and where-ever they may be, from Morocco to Afghanistan, Kenya to Saudi Arabia – revere as a hero Osama bin Laden.⁵³ Needless to say, the book itself reflects the thinking of its author which is purely based on hate, prejudice and ignorance of Muslim history and culture. This argument is also supported by Rana Kabbani, a famous British historian. In her view: “The popularity of a virulent new book shows how deeply Islamophobia has taken root in western Europe. ... Had this book’s victims been anyone other than Muslims, it would not have been published, and certainly not by a self-respecting house. But Muslims are fair game now and to defame them en masse has become not only respectable, but highly profitable. The defamer has nothing to fear, as there are no laws to check such vitriolic prejudice.”⁵⁴ Kabbani is not wrong in her argument as politicians go even a step further. It was around the same period when the book was published, the Italian prime minister Berlusconi said that western civilisation was superior to Muslim civilisation.⁵⁵ In the Middle East, in October 2001, in the West Bank town of Hebron, Jewish settlers took-up arms to expel Muslims from the area. A 42-year old settler said: ‘We are doing what Sharon (prime minister) promised but failed to do: drive these sons of Arab whores from the Land of Israel. If he won’t get

⁵² Karen Armstrong, “The Curse of the Infidel”, *The Guardian*, 20 June 2002.

⁵³ *The Economist*, 29 June 2002, p. 88.

⁵⁴ Rana Kabbani, “Bible of Muslim Hater”, *Guardian*, 11 June 2002.

⁵⁵ Iqbal Akhund, “Fallacic Rantings”, *Dawn*, 28 July 2002 <<http://www.dawn.com/weekly/books/books6.htm>>, 28 July 2002.

rid of these Muslim filth, then we will.⁵⁶ Similarly, a hard liner Indian Hindu leader advised his co-religious to kill at least one Muslim in his lifetime.⁵⁷ Does this type of prejudice help in promoting global peace?

Why is Islamophobia so Fashionable?

It can safely be argued that the culturally biased, Palestine-Israel dispute and dominance of the pro-Israel lobby in the United States as well as the lack of information about Muslim history and culture are the major reasons for widespread Islamophobia.⁵⁸ Needless to say that the massive and systematised propaganda campaign by the global media, and the weakness of Muslim institutions in general and Muslim media in particular, are the other major causes of this sorry state of affairs.⁵⁹ This situation is exacerbated by the fact that because of their own weak media and information technology, Muslim countries are totally dependent upon the Western world, not only to communicate with 'them' but also to communicate among themselves. The situation is now such that the power of the global media unleashed against the Muslim countries is posing an unprecedented danger to their stability, security and self-respect. To overcome this malaise, the Muslim World needs to take stock of this deteriorating situation and evolve measures for putting its own house in order. This situation demands a common strategy for the development and formation of a powerful media system specifically designed for the Muslim World. This will not only help to project the Muslim cause to the world but will also counter the misinformation being unleashed by a hostile global media. At present there are only two Islamic news agencies, i.e., International Islamic News Agency (IINA)⁶⁰ and the Islamic States Broadcasting Organisation (ISBO),⁶¹ both established by the OIC. The question remains as to what constitutes the output of these institutions.

⁵⁶ Jack Kelly, "Vigilant take-up Arms - Vow to Expel Muslim Filth", *USA Today* <[http://www.C:\Documents%20%20Settings|All%20Users\Desktop\Vigilants%...>, 5 October 2001.](http://www.C:\Documents%20%20Settings|All%20Users\Desktop\Vigilants%...)

⁵⁷ *The Milli Gazette*, vol. 3, No. 11 <<http://www.milligazette.com/Archive/01062002/0106200225.htm>>, 23 June 2002.

⁵⁸ See: E. Ghareeb, "A Renewed Look at the American Coverage of the Arab: Towards a Better Understanding", in E. Ghareeb (ed.), *Split Vision, the Portrayal of Arabs in the American Media*, Washington, D.C., American Arab Affairs Council, 1983, pp. 157-194; Edward.W. Said, "The MESA Debate: The Scholars, the Media and the Middle East", *Journal of Palestine Studies*, vol. 16-2, 1987, pp. 85-104; Yvonne Yazbeck Haddad, *The Muslims of America* (New York: Oxford University Press, 1991); Philip Lee, "Image of a Culture of War", *Media Development*, vol. 4, 1991, pp. 12-15.

⁵⁹ Mohammad Ahmadullah Siddiqi, *Islam, Muslims and Media: Myths and Realities* (Chicago: NAAMPS Publications, 1997), p. 40.

⁶⁰ The International Islamic News Agency <<http://www.islamicnews.org>>, 20 September 2002.

⁶¹ The Islamic States Broadcasting Organisation <<http://www.isbo.org>>, 20 September 2002.

The IINA was established in 1970, and its main objectives were, to promote close relations and technical cooperation among the news agencies of member states, and to create an environment of better understanding among Muslim peoples of their common politico-economic and social problems. Due to a series of financial crises, the IINA failed to establish its own communication network and has had to sign a contract with a Rome-based company to broadcast its news through a high frequency radio transmitter. Unfortunately, these news broadcasts are not directly accessible to either the public or the news agencies of the member states. The ISBO was established in 1975, with similar objectives to the IINA. This agency does not broadcast but produces a limited number of radio programmes for its member states.⁶² In fact, the spectrum of activities of both these agencies is extremely limited and they have no impact on global opinion with relation to the Muslim World. This situation demands that urgent and concrete measures are required to establish a sound Muslim news agency and a network of allied institutions, particularly academic institutions.

Review and Reflection

The outcome of this discussion reflects that Islamophobia is a major obstacle in the promotion of interfaith understanding. Unfortunately, the global media is an important agent in developing and furthering this problem. The discussion also reflects that this problem is encouraged by a wrong approach of informal education adopted by the global media. Thus under the prevailing system, a totally wrong image of Islam and Muslims is being presented at global level. This approach deepens the division between the Muslim and the Western worlds and encourages a clash of civilisations. A careful consideration of this situation indicates that in this process, both the worlds are losers as the hostility and conflict between them is beneficial to none. Thus this path must be avoided and adequate measures taken to avoid the problems that would result. This author strongly believes that simultaneous and integrated efforts are required on two fronts, i.e., at global and *Ummatic* fronts. At global level, the governments of major technologically advanced countries have to realise that partial views and an imbalanced approach projected at global media is not of any help in promoting global peace. Various human and civil rights NGOs can also put pressure on their governments to bring about change in the prevailing situation. Here, the main emphasis should be on the promotion of interfaith harmony and developing mutual trust.

At *Ummatic* level, Muslim governments and Islamic academic institutions across the world should make maximum efforts to influence the global media. They must try their best to avoid confrontation with the West. They need to

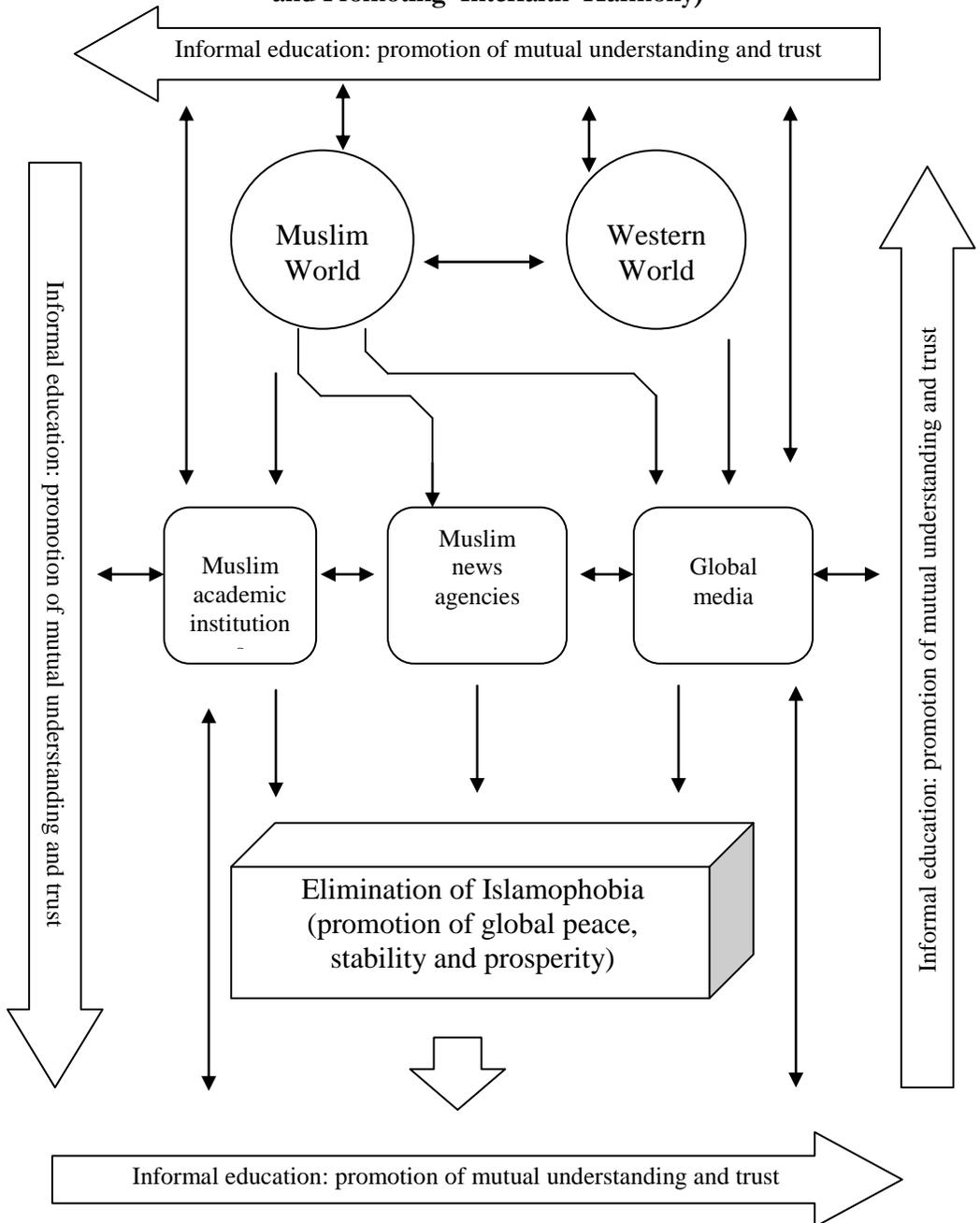
⁶² Abdullah al Ahsan, *OIC: The Organisation of Islamic Conference*, Herndon: The International Institute of Islamic Thought, 1988, pp. 38-40.

evolve and reshape policies in a manner that promotes a spirit of mutual understanding and goodwill. This is a very challenging task but they have to accomplish it, as it is a question of their survival. The areas of convergence need to be emphasised and carefully worked-upon, whereas the areas of divergence need to be seriously looked into, in order to defuse tension. Needless to say, the Muslim World is lagging behind in every sphere of life, particularly in the field of science, technology and media. This is the outcome of its underdevelopment and that the Muslim World is totally dependent upon the major global players. This is one of the main reasons why Muslim countries have no voice and weightage in global affairs. It can be argued that to overcome this problem, there are various institutions working under the auspices of the Organisation of the Islamic Conference, e.g., IINA, ISBO and the Islamic Foundation for Science, Technology and Development. However, the real problem is that the weaknesses and the limited spectrum of the activities of these institutions have made them ineffective.

Muslim countries must have more than one well-established common news agency, not less than the level of the BBC, Voice of America or CNN. This institutional development requires the availability of satellites in space.⁶³ Some Muslim countries have gained the necessary technological skills in this area but are unable to launch a programme due to financial constraints. However, this hurdle can be removed by initiating joint ventures with the richer Muslim countries which do not possess such skills. The Muslim media must embark upon a campaign of truth to impress upon the world that the cause of peace in the world is achievable through cooperation and communication. This programme is essential if Muslims want to assume an important role in global affairs. Equally important is the strengthening of Muslim academic institutions all over the world. Their intra and inter activities should be linked with the Muslim and the global media. It can be hoped that such coordinated efforts would have a significant influence in shaping global opinion about prevailing issues. It can also be hoped that this approach would not only be an important instrument to curb Islamophobia but would also be an invaluable source of informal education for the global masses. Furthermore, these efforts will not only help to project the truth and a balanced approach, but would also be beneficial for the Western world to better understand the Muslim World. This suggestive approach can be illustrated by the following diagram. ■

⁶³ Syed, Fasahat H., "A Pragmatic Approach to Ensure Progress of the Muslim World", in Ghulam Sarwar (ed), *OIC: Contemporary Issues of the Muslim World* (Rawalpindi: Foundation for Research on International Environment National Development and Security, 1997), pp. 183-211.

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MADRASSAS: RELIGION, POVERTY AND THE POTENTIAL FOR VIOLENCE IN PAKISTAN

Tariq Rahman*

Introduction

The *madrassas* [Islamic seminaries] have been in existence for centuries in the Islamic world including Pakistan. But recently they have been associated with the Taliban rulers of Afghanistan some of whom were students of these institutions.¹ They have also been much in the news for sectarian killings and supporting militancy in Kashmir. They are considered the breeding ground of the *Jibadi* culture--a term used for Islamic militancy in the English-language press of Pakistan.²

There was not much writing on the *madrassas* before the events of Nine Eleven in Pakistan. J.D. Kraan³ writing for the Christian Study Centre, had provided a brief introduction. Later, A.H. Nayyar⁴, an academic, had updated this introduction arguing that sectarian violence was traceable to *madrassa* education⁵. Both had used only secondary sources. Later, the present writer wrote on language-teaching in the *madrassas* (Rahman 2002). The book also contained a survey of the opinions of *madrassa* students on Kashmir, the implementation of the Sharia, equal rights for religious minorities and women, freedom of the media, democracy etc.⁶ The seminal work on the *ulema*, and also the *madrassas* in which they are trained, is by Qasim Zaman.⁷ This is an

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¹ Ahmad Rashid, 2000, *Taliban: Islam, Oil and the new Great Game in Central Asia*, London: I.B. Taurus.

² P.W. Singer 2001, 'Pakistan's Madrassahs: Ensuring a system of Education, Not Jihad'. Analysis paper # 14, November 2001, <<http://www.brookings.edu/news/papers/singer/20020103htm>>; Hussain Haqqani 2002, 'Islam's Medieval Outposts', *Foreign Affairs* (December), 58. '64; Mumtaz Ahmad 2000. 'Continuity and Change in the Traditional System of Islamic Education: the case of Pakistan.' In Craig Baxter and Charles H. Kennedy (eds) *Pakistan 2000* Karachi; Oxford University Press.191-192.

³ J.D. Kraan, 1984 *Religious Education in Islam with Special Reference to Pakistan: An Introduction and Bibliography*, Rawalpindi, Christian Study Centre.

⁴ A.H. Nayyar, 1998 'Madrassa Education Frozen in Time' in *Hoodbhoy* 1998; 213-250.

⁵ *Ibid.*

⁶ Tariq Rahman, 2002. (Appendix 14) *Language, Ideology and Power: Language-Learning Among Pakistan and North India* Karachi, Oxford University Press.

⁷ Muhammad Qasim Zaman, 2002 *The Ulema in Contemporary Islam: Custodians of Change* Princeton: Princeton University Press.

excellent study of how the traditional *ulema* can be differentiated from the Islamists who react to modernity by attempting to go back to fundamentalist, and essentially political, interpretations of Islam.

The *ulema* or the Islamists in Pakistan have been writing, generally in Urdu, in defence of the *madrassas* which the state sought to modernize and secularize. Two recent books, a survey by the Institute of Policy Studies (patronized by the revivalist, Islamist, Jamaat-i-Islami) of the *madrassas*⁸ and a longer book by Saleem Mansur Khalid⁹ are useful because they contain much recent data. Otherwise the Pakistani *ulema's* work is polemical and tendentious. They feel themselves besieged increasingly by Western¹⁰ and Pakistani secular critics¹¹ and feel that they should defend their position from the inside rather than wait for sympathetic outsiders to do it for them¹².

Type and Number of Madrassas

There is hardly any credible information on the unregistered *madrassas*. However, those, which are registered, are controlled by their own central organizations or boards. They determine the syllabi, collect a registration fee and an examination fee. They send examination papers, in Urdu and Arabic, to the *madrassas* where pupils sit for examinations and declare results. The names of the boards are as follows:

Box 1			
Central Boards of Madrassas in Pakistan			
Name	Sub-Sect	Place	Date Established
Wafaq ul Madaris	Deobandi	Multan	1959
Tanzim ul Madaris	Barelvi	Lahore	1960
Wafaq ul Madans (Shia) Pakistan	Shia	Lahore	1959
Rabta-tul-Madaris- al-Islamia	Jamaat-i-Islami	Lahore	1983
Wafq-ul-Madaris-al- Salafia	Ahl-i-Hadith	Faislabad	1955
Source: Offices of the respective Boards.			

⁸ IPS, 1987 Deeni Madaris [Urdu: The system of Education of the Religious Madrassas] Islamabad: Institute of Policy Studies.

⁹ Saleem Mansur Khalid (ed) 2002 *Deeni Madaris Mein Taleem* [Urdu: education in religious Seminaries] Islamabad: Institute of Policies Studies.

¹⁰ Singer, 2001, op. cit.

¹¹ Hussain Haqqani, 2002; Ahmad Rashid, 2000, pp.191-192 op. cit.

¹² Yoginder Sikand 2001, 'The Indian state and Madrassa', *Himal*, from <www//himalmag.com>.

At independence there were 245, or even fewer, *madrassas* (IPS 2002: 25). In April 2002, Dr. Mahmood Ahmed Ghazi, the Minister of Religious Affairs, put the figure at 10,000 with 1.7 million students (ICG 2002: 2). They belong to the major sects of Islam, Sunnis and Shias. However, Pakistan being a predominantly Sunni country, the Shia ones are very few. Among the Sunni ones there are three sub-sects: Deobandis, Barelvis and the Ahl-i-Hadith (*Salafi*). Besides these, the revivalist Jamaat-e-Islami also has its own *madrassas*.

The number of *madrassas* has been increasing since General Zia ul Haq's rule (1977-1988). During the war by Islamic Afghan groups in Afghanistan against the Soviet Union the United States sent money, arms and ammunition through Pakistan which is said to have been used to support the *madrassas*. Later, presumably because religiously inspired and *madrassa* students infiltrated across the line of control to fight the Indian army in Kashmir, they were supported by the Pakistan army (specifically the Inter-Services Intelligence). However, both the ISI and the *madrassas* deny these links (see several issues of *Wafaq al Madaris*) and, therefore, the increase in the number of *madrassas* by financial aid provided by foreign donors or the Pakistan army cannot be ascertained. The increase in the number of registered *madrassas* is as follows (for details of increase in provinces see Annexure 4).

Box 2											
Sect-Wise Increase in the Number of Madrassas¹³											
Deobandi		Barelvi		Ahl-i-Hadith		Shia		Shia Jamaat-i-Islami		Total	
1988	2002	1988	2002	1988	2002	1988	2002	1988	2002	1988	2002
1779	7000	717	1585	161	376	47	419	97*	500	2801	9880
Source: For 1988 see GOP 1988; for 2002 Report of Sindh Police in <i>Dawn</i> 16 January 2003. The other figures have been provided by the Central Boards of the <i>madrassas</i> . *This figure in GOP 1988 was for 'Others' and not only for the Jamaat-i-Islami <i>madrassas</i> . The figure for 2000 given in several sources is 6,761.											

P.W. Singer gives a figure of 45,000 *madrassas* but quotes no source for this number¹⁴.

The Saudi Arabian organization, Harmain Islamic Foundation, is said to have helped the Ahl-i-Hadith and made them powerful. Indeed, the Lashkar-e-Tayyaba, an organization which has been active in fighting in Kashmir, belongs to the Ahl-i-Hadith.¹⁵ In recent years, the Deobandi influence has increased as the Taliban were trained in their seminaries. However, contrary to popular belief, it is the other *madrassas* and not the Deobandi ones which have either registered in large numbers since 1988 or actually increased in number.

¹³ IPS, 2002, p25.

¹⁴ Singer, 2001, op. cit.

The increase in percentages in the different *madrassas* of the major sub-sects or sects between 1988 and 2000 is as follows:

Box 3	
Increase in the <i>Madrassas</i> between 1988 and 2000 in percentages	
Deobandi	6%
Barelvi	90%
Ahl-i-Hadith	93%
Shia	532%
Others	Not known
Total	36%
Source:	Khalid 2002: 176.

However, it should be remembered that the number of Deobandi *madrassas* is the highest to begin with and they are the ones who are associated with militant policies and revivalist fervour.

The Sectarian Divide Among the Madrasahs

Because of the disintegration of the Mughal empire and colonial rule, Indian Muslims felt threatened, disillusioned and frustrated. Some, like Sayyid Ahmed of Rae Bareilly (1786-1831), responded militantly but were defeated. Others, like Sir Syed Ahmad Khan (1808-1898) learnt English, entered the British bureaucracy and became junior partners of the British in the exercise of power. Still others, blaming Muslims themselves for their loss of power, tried to purify Islam in various ways. The Ahl-i-Hadith (also called Wahabis), the Deobandis, the Barelvis among the Sunnis as well as the Shias created *madrassas* to preserve and propagate what, in their view, was the correct interpretation of Islam (or *maslak*). These *madrassas* are described below.

Deobandis

The *madrassa* at Deoband, a small town in Uttar Pradesh province of India (previously United Provinces), was founded by Maulana Muhammad Qasim Nanautawi (1833-1877) and Maulana Rashid Ahmed Gangohi (1829-1905). While earlier seminaries were loosely organized, Deoband had a rector (*sarparast*), a chancellor (*muhtamim*) and the chief instructor (*sadr mudarris*). Its income was derived from popular contributions and the curriculum was based on the Dars-i-Nizami which had been evolved by Mulla Nizam Uddin Sihalvi (d. 1748) at Farangi Mahal, a famous seminary of a family of Islamic scholars

¹⁵ Ahmad, 2002, p10.

(*ulema*) in Lucknow.¹⁶ The Dars-i-Nizami emphasized studies based on human reasoning (*maqulat*) but at Deoband the traditional sciences which were transmitted unchanged to the learner (*manqulat*) were emphasized. Thus Deoband taught much more *hadith* than what the Dars-i-Nizami had originally prescribed.

The Deobandis opposed folk Islam in which intercession by saints occupied a major place, seeking initiation in a mystic order was considered the path to salvation and miracles etc were seen as the crucial and defining attributes of saints and prophets. They did not oppose mysticism altogether but did argue that adherence to the Islamic law (*Sharia*) was the path to mystical exaltation. They also opposed folk practices like fixing days for distributing food to gain spiritual merit and celebrating the days of religious personages (for details see Metcalf 1982).¹⁷

The Darul Uloom at Deoband was established in 1867 and after a hundred years it had produced 6,986 graduates and established 8,934 *maktabs* (schools) and *madrassas* (seminaries) teaching the Dars-i-Nizami. In 1967 the number of graduates from Pakistan was 3,191 (including those from East Pakistan)¹⁸ while now the number of students exceeds 1,02,865 and the number of those who appeared in the *Alimia* (M.A) examination were 4,676. The number of registered *madrassas* in Pakistan is 7000, which shows how fast they have multiplied in recent years in this country (all these figures are from the central office of the Wafaq-ul-Madaris, Multan).

Barelvis

The Barelvi movement was inspired by Ahmed Raza Khan of Bareilly (1856-1921) who is highly revered by his followers.¹⁹ The Barelvis justified the 'mediational, custom-laden Islam, closely tied to the intercession of the pirs of the shrines'.²⁰ They believed that Prophet Mohammad (Peace be Upon Him) was made of Divine Radiance (*Noor*) and had knowledge of the unknown (*Ilm ul Ghaib*). Both these beliefs were challenged by the Deobandis and the Ahl-i-Hadith *ulema*. Relating to this was the debate on the issue of the *imkan-i-nazir* --- the question whether God could make another person equal to Prophet Mohammad (PBUH). The Barelvis denied the possibility while the others did not. The Barelvi *madrassas* in Pakistan also teach the Dars-i-Nizami and appeal

¹⁶ Francis Robinson, 2002. The ulema of Farangi Mahal and Islamic Culture in South Asia, Lahore, Feroz Sons.

¹⁷ For details see Barbara D. Metcalf, 1982, Islamic Revival in British India: Deoband, 1860-1900, Repr. Karachi, Royal Book Company 1989.

¹⁸ Ibid, p. 110-111.

¹⁹ Usha Sanyal 1996, Deoband Islam and Politics in British India: Ahmad Raza Khan Barelvi and his Movement, 1870-1920, Delhi, Oxford University Press.

²⁰ Metcalf 1982, p 296.

to the ordinary folk of the country (for the views of the Bareilvis see Sanyal 1996).

Ahl-i-Hadith

The movement inspired by Sayyed Ahmed was called Wahabi because, like Muhammad bin Abdul Wahab (1703-1792) of Saudi Arabia, Sayyid Ahmed and his associates also wanted to purify and reform Islam. They claimed to follow no particular school of jurisprudence ---Hanafi, Shafi, Hambali, Maliki---and were called non-conformists (*ghair muqallid* -- one who does not follow a fixed path) by their opponents. They used the term *Jama'at Ahl-i-Hadith* for themselves and appealed to the Government of India that the term Wahabi should not be used for them. The government ordered in 1886 that the term Wahabi should not be used in official correspondence²¹ but it is still used by many people in Pakistan.

The Ahl-i-Hadith *madrassas* also teach the Dars-i-Nizami but they emphasize the Quran and *Hadith* and oppose folk Islam and common practices like the anniversaries of saints, the distribution of food on religious occasions and popular mysticism.

Jamaat-i-Islami

The Jamaat-i-Islami is a revivalist political party created by Abul Ala Maudoodi (also spelled Mawdudi) (1903-1979) whose life and achievements have been ably described by²² Syed Vali Reza Nasr (1996).

Maudoodi believed in borrowing technology and other concepts from the West in order to empower the Islamic community. As such he favoured more modernist education than any of the orthodox organizers of the traditional *madrassas*. He did, however, also emphasize upon the refutation of Western culture and intellectual domination and, therefore, his anti-Western critique is more thorough, trenchant and appealing than that of the traditionalist seminarians (Maudoodi 1974).

In the Jamaat's *madrassas* the traditional texts are taught but politics, economics and history is also emphasized with a view to preparing the young *ulema* for confronting the ideas of the West.

Besides the Sunni *madrassas*, there are Shia *madrassas* too as we have seen. The Shias believe that the successor of the Prophet (PBUH) was Ali Ibn-e-Abi Talib and not the first three caliphs whom Sunnis take to be his successors. They mourn the battle of Karbala, fought between the Prophet's grandson Hussain and the Omayyad caliph Yazid bin Muawiya in 680 A.D. This

²¹ Ahmed Qeyamuddin, 1994. *The Wahabi Movement in India* New Delhi, Manohar. 203

²² Syed Vali Raza Nasr 1996 *Mawdudi and the making of Islamic Revivalism* New Delhi, Oxford University Press.

led to the birth of the supporters of Ali and the rise of Shia Islam which has been described very competently by²³ S.H.M Jafri (1979).

All the *madrassas*, including the Shia ones, teach the Dars-i-Nizami though they do not use the same texts. They also teach their particular point of view (*madhab* or *maslak*) which clarifies and rationalizes the beliefs of the sect (Sunni or Shia) and sub-sect (Deobandi, Barelvi and Ahl-i-Hadith). Moreover they train their students to refute what in their views are heretical beliefs and some Western ideas. All *madrassas* teach modern subjects in some measure and with varying degrees of competence. Let us examine the teaching in the *madrassas* in some detail.

The Curriculum of the Madrassas

Before Mulla Nizam Uddin standardized the curriculum known as the Dars-i-Nizami different teachers taught different books to students. Shah Abdul Rahim (d. 1718) had made an attempt to create a fixed curriculum. It was taught at the Madrassa-i-Rahimiya and it emphasized the *manqulat* (such as *hadith*). The Dars-i-Nizami on the other hand, emphasized the *maqulat*. Thus there were more books on grammar, logic and philosophy than before.²⁴ According to Francis Robinson:

The significance of the enhanced emphasis on *maqulat* in the Dars-i-Nizamiyya lies in part in the superior training it offered prospective lawyers, judges and administrators. The study of advanced books of logic, philosophy and dialectics sharpened the rational faculties, and ideally, brought to the business of government men with better-trained minds and better-formed judgment.²⁵

While this may have been the intention of Farangi Mahal's *ulema*, it is also true that the Arabic *madrassas* were much fewer (150) than the Persian schools (903) in 1850 (Edn. NWP: 1850), presumably because they offered a more thorough grinding in Persian which facilitated entry into administrative jobs for their pupils. However, Farangi Mahal was established before the British created the category of 'Persian schools' and it does appear that the Dars-i-Nizami educated men were sought for employment outside the domain of religion at that time.

In Pakistan, however, the Dars-i-Nizami has been modified though the canonical texts are still there. In my view these texts are used as a symbol of continuity and identity. The *madrassas* saw themselves as preservers of Islamic identity and heritage during the colonial era when secular studies displaced the

²³ S.H.M. Jafri 1979. This edition. Karachi, Oxford University Press, 2000.

²⁴ G.M.D. Sufi, 1941. Al-Minhaj: Being the Evolution of Curriculum in the Muslim

Educational Institutions of India. Delhi: Idara-i-Adabiyat-i-Delhi. This Edition. 1977.

²⁵ Robinson 2002. p53, op. cit.

Islamic texts as well as the classical languages of the Indian Muslims---Arabic and Persian---from their privileged pedestal. Thus the *madrassas*, despite the desire to reform their courses, do not give up the canonical texts (for a debate on reform see IPS 1987). The greatest critic of the *madrassa* texts was Maulana Maududi who argued that, being based on memorization of medieval texts, the *madrassas* were not providing relevant education to the Muslim society.²⁶

However, though old books like *Sarf-e-Meer* and *Kafiyah* remain in the course, easier and more modern books are used to supplement them. Arabic, for instance, is taught through modern and much easier books than the canonical works mentioned in the Dars-i-Nizami (for details see Tariq Rahman 2002: 106-1-7). The canonical texts are taught in Arabic but, because students do not become really competent in the language, they are either memorized or understood from Urdu translations available in the market.

The Dars-i-Nizami has come to symbolize the stagnation and ossification of knowledge. It is taught through canonical texts which, however, are taught through commentaries (*sharh*); glosses or marginal notes (*hashiya*) and super commentaries (*taqarir*). There are commentaries upon commentaries explained by even more commentaries. For the South Asian students, they no longer explain the original text being themselves in Arabic. They have to be learned by heart which makes students use only their memory not their analytical powers. Indeed, the assumption on which the *Dars* functions is that the past was a golden age in which all that was best has already been written. What remains to the modern age is merely to preserve it.

It was this backward-looking nature of core *madrassa* texts which made Taha Hussain (1889-1973), the famous blind modernist scholar of Egypt, disillusioned with Jamia Azhar in Cairo. According to Abdelrashid Mahmoudi, the writer of a book on Taha Hussain's education:

On the collective level, entanglement in what was derivative and purely verbal, meant, among other things, the relegation of major and original works to oblivion. Thus a procedure whose sole *raison d'etre* was the conservation of tradition, resulted in a grave form of collective amnesia concerning what was best in Islamic culture, namely the classical heritage.²⁷

What was true of Jamia Azhar in 1902 (when Taha went to that seat of learning) is judged to be true of South Asian *madrassas*, or at least the Dars-i-Nizami component taught there, even now -- and the judges are Arabic-knowing authorities such as Maudoodi and not only Western critics of the *madrassas*.

²⁶ Abul Ala Maududi, 1974. *Talimat* [Urdu Education] Lahore, Islamic Publications.

²⁷ Abdelrashid Mahmoudi. 1998. *Taha Hussain's Education: from the Azhar to the Sorbonne* Surrey Curzon Press.

The Refutation of Other Sects and Sub-Sects

Refutation (*Radd* in Urdu) has always been part of religious education. However, it is only in recent years that it has been blamed for the unprecedented increase in sectarian violence in Pakistan.

According to A.H. Nayyar 'The *madrasabs* have, not surprisingly, become a source of hate-filled propaganda against other sects and the sectarian divide has become sharper and more violent' (Nayyar 1998: 243). However, it appears that there was much more acrimonious theological debate among the Shias and Sunnis and among the Sunnis themselves during British rule than is common nowadays. The militancy in sectarian conflict cannot be attributed to the teaching in the *madrassas* though, of course, the awareness of divergent beliefs does create the potential for negative bias against people of other beliefs.

The theological debate (*munazra*) is taught to students in *madrassas*. Barbara Metcalf describes the *munazras* between the Christians, Muslims and Arya Samajists (1982: 219-232) in her book. She says:

The debates were, indeed, a form of social event, a public ritual, that took on new form and meaning in the late nineteenth century. In a society largely illiterate and equipped only minimally with modern forms of communication, they came to serve as a new forum for communicating issues at once religious and social.²⁸

They were also very bitter as the Deobandi-Barelvi *munazras* of 1928 collected in *Futoobat-e-Nomania* (Nomani n.d) illustrate. Moreover, the pioneers of the sects and sub-sects did indulge in refuting each other's beliefs. For instance Ahmed Raza Khan, the pioneer of the Barelvi school, wrote a series of *fatawa* (plural of *fatwa* = *religious* decree) against Sir Sayyid of Aligarh, the Shias, the ahl-i-Hadith, the Deobandis and the Nadwat ul-'Ulema in 1896. These were published as *Fatawa al-Haramain bi-Rajf Nadwat al Main* (1900)²⁹. The Barelvis, in turn, were refuted by their rivals. The followers of the main debaters sometimes exchanged invectives and even came to blows but never turned to terrorism as witnessed in Pakistan's recent history.

As the inculcation of sectarian bias is an offence, no *madrassa* teacher or administrator confessed to teaching any text refuting the beliefs of other sects. Maulana Mohammad Hussain, Nazim-e-Madrassa Jamiat us-Salfia (Ahl-i-Hadith) (Islamabad) said that comparative religions was taught in the final Almiya (M.A) class and it did contain material refuting heretical beliefs. Moreover, Islam was confirmed as the only true religion, refuting other religions. The library did contain books refuting other sects and sub-sects but they were not prescribed in the syllabus. Maulana Muhammad Ishaq Zafar of the Jamia Rizvia Aiz ul Uloom (Barelvi) in Rawalpindi said that books against

²⁸ Barbara Metcalf, 1982, p 233.

²⁹ Usha Sanyal, 1996. p203.

other sects were not taught. However, during the interpretation of texts the *maslak* was passed on to the student. Students of the final year, when questioned specifically about the teaching of the *maslak*, said that it was taught through questions and answers, interpretation of texts and sometimes some teachers recommended supplementary reading material specifically for the refutation of the doctrines of other sects and sub-sects.

In some cases, as in the Jamia Ashrafia, a famous Deobandi seminary of Lahore, an institution for publication, established in 1993, publishes 'only those articles and journals which are written by the scholars of Deoband school of thought.'³⁰ Moreover, in writings, sermons, and conversation, the teachers refer to the pioneers of their own *maslak* so that the views of the sub-sect are internalized and became the primary way of thinking.

However, despite all denials, the printed syllabi of the following sects do have books that refute the beliefs of other sects. The *Report on the Religious Seminaries* (GOP 1988) lists several books of Deobandi *madrassas* to refute Shia beliefs including Maulana Mohammad Qasim's *Hadiyat ul Shia* which has been reprinted several times and is still in print. There are also several books on the debates between the Barelvis and the Deobandis and even a book refuting Maudoodi's views.³¹ The Barelvis have given only one book *Rashidiya* (1672) by Abdul Rashid Deewan Jaunpuri under the heading of 'preparation for debates on controversial issues.'³² In some of the *madrassas* the other traditional text used for this purpose is the *Sharifiya* (1413) by Meer Sharif Ali Jarjani. It is not true, however, that the students are mired into medieval scholasticism despite the texts prescribed for them. They do put their debates in the contemporary context though they refer to examples on the lines established by the medieval texts. The Ahl-i-Hadith have given a choice of opting for any two of the following courses: the political system of Islam, the economic system of Islam, Ibn-eKhalidun's *Muqaddamah*, the history of ideas and comparative religious systems. The Shia courses list no book on this subject.

Recently published courses list no book on *maslak* for the Deobandis. The Barelvis mention 'comparative religions' but no specific books. The Ahl-i-Hadith retain almost the same optional courses as before. The Shia *madrassas* list books on beliefs which includes comparative religions in which, of course, Shia beliefs are taught as the only true ones. Polemical pamphlets claiming that there are conspiracies against the Shias are available. Incidentally such pamphlets,

³⁰ Fayyaz Hussain 1994. 'An Ethnographic study of Jamia Ashrafia; A religious school at Lahore with Special Emphasis on Socio-practical Relevance of its objective'. M.Sc Dissertation, Dept of Anthropology, Quaid-i-Azam University, Islamabad.

³¹ GOP, 1988 *Deeni Madaris ki Jame Report* [Urdu] Islamabad: Islamic Education Research Cell, Ministry of Education, Government of Pakistan 73-74.

³² *Ibid*, p76.

warning about alleged Shia deviations from the correct interpretations of the faith are also in circulation among Sunni *madrassas* and religious organizations.

Moreover, some guidebooks for teachers note that Quranic verses about controversial issues should be taught with great attention and students should memorize them. In one Bareilvi book it is specified that teachers must make the students note down interpretations of the *ulema* of their sub-sect concerning beliefs and controversial issues so that students can use them later, i.e. as preachers and *ulema*.

The Jamaat-i-Islami syllabus (2002) mentions additional books by Maulana Maudoodi and other intellectuals of the Jamaat on a number of subjects including the *Hadith*. They also teach 'comparative religions'.

The Refutation of Heretical Beliefs

One of the aims of the *madrassas*, ever since 1057 when Nizam ul Mulk established the famous *madrassa* at Baghdad, was to counter heresies within the Islamic world and outside influences which could change or dilute Islam. Other religions are refuted in 'comparative religions' but there are specific books for heresies within the Islamic world. In Pakistan the *ulema* unite in refuting the beliefs of the Ahmedis (or Qaidianis) (for these views see Friedmann 1989). The Deoband course for the *Aliya* (B.A) degree included five books refuting Ahmedi beliefs.³³ The Barelvis prescribe no specific books. However, the *fatama* of the pioneer, Ahmad Raza Khan, are of the other sects and sub-sects. The Ahl-i-Hadith note that in 'comparative religions' they would refute the Ahmedi beliefs. The Shias too do not prescribe any specific books. The Jamaat-i-Islami's syllabus (2002) prescribes four books for the refutation of 'Qadiani religion'. Besides the Ahmedis, other beliefs deemed to be heretical are also refuted. All these books are written in a polemical style and are in Urdu which all *madrassa* students understand.

The Refutation of Alien Philosophies

The earliest *madrassas* refuted Greek philosophy which was seen as an intellectual invasion of the Muslim ideological space. Since the rise of the West, *madrassas*, and even more than them revivalist movements outside the *madrassas*, refute Western philosophies. Thus there are books given in the reading lists for *Aliya* (B.A) of 1988 by the Deobandis refuting capitalism, socialism and feudalism. These books are no longer listed but they are in print and in the libraries of the *madrassas*. The Jamaat-i-Islami probably goes to great lengths -- judging from its 2002 syllabus -- to make the students aware of Western domination, the exploitative potential of Western political and economic ideas and the disruptive influence of Western liberty and individualism on Muslim

³³ Ibid, p 71.

societies. Besides Maudoodi's own books on all subjects relating to the modern world, a book on the conflict between Islam and Western ideas (Nadvi n.d) is widely available.

These texts, which may be called *Radd-texts*, may not be formally taught in most of the *madrassas* as the *ulema* claim, but they are being printed which means they are in circulation. They may be given as supplementary reading material or used in the arguments by the teachers, which are probably internalized by the students. In any case, being in Urdu rather than Arabic, such texts can be comprehended rather than merely memorized. As such, without formally being given the centrality which the *Dars-i-Nizami* has, the opinions these texts disseminate — opinions against other sects, sub-sects, views seen as being heretical by the *ulema*, Western ideas — may be the major formative influence on the minds of *madrassa* students. Thus, while it is true that education in the *madrassa* produces religious, sectarian, sub-sectarian and anti-Western bias, it may not be true to assume that this bias automatically translates into militancy and violence of the type Pakistan has experienced. For that to happen other factors — the arming of religious young men to fight in Afghanistan and Kashmir; the state's clampdown on free expression of political dissent during Zia ul Haq's martial law; the appalling poverty of rural, peripheral areas and urban slums etc.-- must be taken into account.

As for teaching modern subjects, the Ahl-i-Hadith *madrassas* have been teaching Pakistan studies, English, mathematics and general science a long time.³⁴ The Jamaat-i-Islami also teaches secular subjects. The larger Deobandi, Bareilvi and Shia *madrassas* too have made arrangements for teaching secular subjects including basic computer skills. According to a report in the weekly *The Friday Times* from Lahore the Deobandi Wafaq-ul Madaris has decided to accommodate modern subjects on a larger scale than ever before. They would make the students spend another two years to give a more thorough grounding in the secular subjects. The Wafaq `has also formed committees to devise ways to capitalise on the government's US \$ 255 million Madrassah Reforms Scheme for the transition.³⁵ However, at present, the teaching is done by teachers approved of by the *ulema* or some of the *ulema* themselves. Thus the potential for secularization of the se subjects, which is small in any case, is reduced to nothingness. This might change if the courses are extended by two years and the teachers come from diverse backgrounds but as yet it is too early to say what might happen.

³⁴ Ibid, p 85.

³⁵ Hasan Mansoor, 2003 "Groundwork to modernize Seminaries Begins", *The Friday Times* [Lahore] 1-7 August.

Poverty and Socioeconomic Class of Madrasa Students

Madrasas were supported by land grants and wealthy patrons in medieval India. They have always been supporting the poor and the lifestyles of the *ulema* were spartan and closer to the poorer strata of society than the affluent ones. Maulana Abdul Ali Bahr al-Uloom of Farangi Mahal, for instance, 'used in their support all but Rs. 40 of the Rs 1000 monthly stipend granted by Nawab Walajah. His wife and family suffered and complained, as did those of his grandson, Jamal al-Din, who suffered in a similar way' (Robinson 2002: 81). Barbara Metcalf in her study of Deoband tells us that the pioneers of that seminary took no, or very modest salaries, and 'lived like poor men' (1982: 167). The average expense of Deoband on each graduate between 1867 to 1967 was Rs 1,314 which is modest from any criterion.³⁶ The Ahl-i-Hadith *madrasas*, which were patronized by wealthy people in British India, nevertheless lived in the same frugal manner³⁷

Madrasas in Pakistan are also financed by voluntary charity provided by the bazaar businessmen and others who believe that they are earning great merit by contributing to them. Some of them are also given financial assistance by foreign governments — the Saudi government is said to help the Ahl-i-Hadith seminaries and the Iranian government the Shia ones -- but there is no proof of this assistance. And even if it does exist, it goes only to a few *madrasas* whereas the vast majority of them are run on charity *zakat* (alms), *khairat* (charity), *atiat* (gifts) etc.

The government of Pakistan gives financial assistance to the *madrasas* for modernizing textbooks, including secular subjects in the curricula and introducing computers. In 2001-02 a total of 1,654,000 was given to all *madrasas* which accepted this help. As the number of students is 1,065,277 this comes to Rs. 1.55 per student per year. An additional aid of Rs. 30.45 million is promised for providing computers and changing the syllabi in 2003-04 and this will come to Rs. 28.60 per student per year (these figures are from IPS 2002 table 1.17 and 1.19). However, as all *madrasas* do not accept financial help from the government the money is not distributed evenly as the above calculations might suggest.

According to the Jamia Salfia of Faisalabad, the annual expenditure on the seminary, which has about 700 students, is 40,00,000 rupees. Another *madrasa*, this time a Bareilvi one, gave roughly the same figure for the same number of students. This comes to Rs 5,714 per year (or Rs 476 per month) which is an incredibly small amount of money for education, books, board and lodging. The expenditure from the government in 2001-2002 was Rs. 1,654,000

³⁶ Barbara Metcalf, 1982, p 111.

³⁷ Qeyamuddin Ahmed, 1994. *The Wahabi Movement in India New Delhi*. Manohar

for all the *madrassas* in the country and about 32.60 per cent *madrassas* do not received any financial support at all, the total spending on these institutions is Very little³⁸ (IPS 2002: 33). However, as mentioned above, there are plans to change this in a radical manner.

As the *madrassas* generally do not charge a tuition fees -- though they do charge a small admission fees which does not exceed Rs 400 -- they attract very poor students who would not receive any education otherwise. According to Fayyaz Hussain, a student who completed his ethnographic research on Jamia Ashrafia of Lahore in 1994, students prefer the *madrassa* for the following reasons:

Box 4	
Causes of Joining Madrassas Given by Students³⁹	
Economic	48.95 per cent
Social	40.63 per cent
Religious	5.71 per cent
Educational	3.12 per cent
Political	2.09 per cent

The categories have not been explained by the author nor is it known exactly what questions were asked from the students. According to Singer, the 'Dar-ul-Uloom Haqqania, one of the most popular and influential *madrassas* (it includes most of the Afghani Taliban leadership among its alumni) -- has a student body of 1500 boarding students and 1000 day students, from 6 years old upwards. Each year over 15,000 applicants from poor families vie for its 400 open spaces⁴⁰. According to a survey conducted by Mumtaz Ahmad in 1976 'more than 80 percent of the *madrassa* students in Peshawar, Multan, and Gujranwala were found to be sons of small or landless peasants, rural artisans, or village imams of the mosques. The remaining 20 percent came from families of small shopkeepers and rural labourers' (quoted from Ahmad 2000: 185). According to a survey by the Institute of Policy Studies (IPS) 64 per cent *madrassa* students come from rural areas and belong to poor agrarian families.⁴¹ The present researcher also observed that many students, upon probing, confessed that their parents had admitted them in the *madrassas* because they could not afford to feed them and educate them in the government schools. Even such students, while making this confession, also insist that they are in the *madrassas* because of their love for Islam.

³⁸ Ibid, 33.

³⁹ Fayyaz Hussain 1994 84.

⁴⁰ Singer 2002.

⁴¹ IPS 2002. 41.

In the survey of December 2002 and January 2003, *madrassa* students and teachers were asked about their income. Many did not reply to these questions but those who did suggest that they mostly (76.62%) belong to poor sections of society (see Annexure-1 for details). The teachers of the *madrassas* also mostly (61.11%) belong to the same socio-economic class as their students (see Annexure-1 for details). The *madrassas* provide sustenance for all these poor people.

In short the *madrassas* are performing the role of a welfare state in the country. This being so, their influence on rural people and the poorer sections of the urban proletariat will continue to increase as poverty increases.

Poverty and the Roots of Religious Violence

While it can only be speculated that there is a connection between poverty and religious violence, the proposition does have empirical backing. Qasim Zaman tells us, for instance, that in Jhang -- the birth place of the militant Sunni organization called the Sipah-i-Sahaba -- the proportion of Shias in the affluent urban middle class is higher than other areas of Pakistan. Moreover, the feudal gentry too has many Shia families. Thus the Sipah-i-Sahaba appeals to the interests of the ordinary people who are oppressed by the rich and the influential. Indeed, Maulana Haqq Nawaz, the fiery preacher who raised much animosity against the Shias, was 'himself a man of humble origin' and 'had a reputation for being much concerned with the welfare of the poor and the helpless, and he was known to regularly spend time at government courts helping out poor illiterate litigants.'⁴²

Another leader of the Sipah-i-Sahaba, Maulana Isar al-Qasimi (1964-1991), also preached in Jhang. He too denounced the Shia magnates of the area and the peasants, terrorized by the feudal magnates, responded to him as if he were a messiah. Even shopkeepers rejoiced in the aggressive Sunni identity he helped create. When the Shia feudal lords attacked and burnt some defiant Sunni shops this identity was further radicalized.⁴³

In the same manner the Muslim radicals in the Philippines too attack social and economic privilege. Indeed, Islamist movements from Turkey to Indonesia talk of the poor and the oppressed and sometimes do take up their cause. This has won them votes in Turkey where they have been suppressed by the secular military. It was also a major factor for mobilization in Iran against the Shah who was seen as being rich, wasteful, corrupt and decadent. So, though difficult to demonstrate, Islamic militancy -- whether by radicalized *madrassa* students or members of Islamist or Jihadi groups in Pakistan -- has an element of class conflict. It is, at least in some part, a reaction of the have-nots against the haves. This is a dangerous trend for the country because *madrassa*

⁴² Muhammad Qasim Zaman, 2002 op.cit p 25.

⁴³ Ibid p 127.

students are taught to be intolerant of religious minorities and are hawkish about Kashmir. As they are also from poor backgrounds they express their sense of being cheated by society in the idiom of religion. This gives them the self-righteousness to fight against the oppressive and unjust system in the name of Islam.

The Worldview of Madrassa Students

The *madrassa* students are the most intolerant of all the other student groups in Pakistan. They are also the most supportive of an aggressive foreign policy. In the survey of 2002-2003 they responded to questions about these issues as follows:

Box 5				
Militancy Among Madrassa Students in 2003 (N=142)				
(In percentages)				
What should be Pakistan's Priorities?				
1.	Take Kashmir away from India by an open war?	Ye 59.86	No 31.69	Don't Know 8.452.
2.	Take Kashmir away from India by supporting <i>Jihadi</i> groups to fight with the Indian army?	52.82	32.39	14.793.
3.	Support Kashmir cause through peaceful means only (i.e. no open war or sending <i>Jihadi</i> groups across the line of Control)	33.80	54.93	11.27
Source: Annexure-2				

The views of the teachers were even more militant:

Box 6				
Militancy Among Madrassa Teachers (N=27)				
(In percentages)				
1.	Open War	Yes 70.37	No 22.02	Don't Know 7.412.
2.	Jihadi Groups	59.26	29.63	11.11
	Peaceful means	29.63	66.67	3.70
Source: Annexure-2				

According to the IPS survey quoted earlier *madrassa* students are tolerant of the major Islamic sects and sub-sects. About 45 per cent, however, considered women as lesser than men and only 11 per cent considered them equal to men. To the question 'how can Jihad be waged in Pakistan?' only 8 per

cent students agreed with using force. However, 46 per cent Deobandi students favoured the Taliban as their model.⁴⁴

While the survey carried out for this study gives somewhat different results, it is clear that most of the differences are because of the difference in questions. The *madrassas* are obviously institutions which have a blueprint of society in their mind. What needs explanation is that the *madrassas*, which were basically conservative institutions before the Afghan-Soviet War of the nineteen eighties, are both ideologically activist and sometimes militant. According to Peter L. Bergen, author of a book on Osama bin Laden and his al-Qaeda group: 'nowhere is bin Laden more popular than in Pakistan's *madrassas*, religious schools from which the Taliban draw many of its recruits.'⁴⁵ Even with the end of Taliban rule in Afghanistan, the *madrassas* have plenty of zealous young people who can potentially act as crusaders against both Western interests and the moderate regimes, both military and civilian, whom they perceive as the allies of the West (for Central Asian parallels see Ahmed Rashid's [2002] excellent book on militant Islamic movements in that part of the world).

General Pervez Musharraf's military government, in an attempt to control religious extremism, made two laws to control the *madrassas*. The first was aimed to bring the *madrassas* in the mainstream by introducing secular subjects in them. This ordinance called, the 'Pakistan Madrassah Education (Establishment and Affiliation of Model Dini Madaris) Board Ordinance 2001' was promulgated on 18 August 2001. According to the *Education Sector Reforms*⁴⁶ three model institutions were established: one each at Karachi, Sukkur and Islamabad. Their curriculum 'includes subjects of English, Mathematics, Computer Science, Economics, Political Science, Law and Pakistan Studies for its different levels'⁴⁷. These institutions were not welcomed by the *ulema* (for opposition from the *ulema* see *Wafaq ul Madaris* No. 6: Vol. 2, 2001). After this another law was introduced to control the entry of foreigners in the *madrassas* and keep check on them. This law --- Voluntary Registration and Regulation Ordinance 2002 --- has, however, been rejected by most of the *madrassas* which want no state interference in their affairs (see *Wafaq ul Madaris Vol. 3* No. 9, 2002 and unstructured interviews of the *ulema*). Indeed, according to Singer, '4,350, about one tenth, agreed to be registered and the rest simply ignored the statute.'⁴⁸ The number of those who did not register is not known.

The *madrassas* became militant when they were used by the Pakistani state to fight in Afghanistan during the Soviet occupation and then in Kashmir

⁴⁴ IPS 2002 42-47.

⁴⁵ Peter L. Bergen 2001. Holy War Inc. Inside the Secret World of Osama bin Laden, New York Simon & Schuster Inc.

⁴⁶ GOP 2002c.

⁴⁷ Ibid p 23.

⁴⁸ Singer 2001.

so as to force India to leave the state. Pakistan's claim on Kashmir, as discussed by many including Alistair Lamb 1977⁴⁹ has led to conflict with India and the Islamic militants or *Jihadis*, who have entered the fray since 1989. The United States indirectly, and sometimes directly, helped in creating militancy among the clergy. For instance, special textbooks in Dari (Afghan Persian) and Pashto were written at the University of Nebraska-Omaha with a USAID grant in the 1980s.⁵⁰ American arms and money flowed to Afghanistan through Pakistan's Inter services Intelligence as several books indicate (See Cooley 1999).⁵¹ At that time all this was done to defeat the Soviet Union. Later, while Pakistan's military kept using the militant Islamists in Kashmir, the United States was much alarmed by them---not without reason as the events of Nine Eleven demonstrated later. After this catastrophic incident in which more than three thousand people died in New York, the Americans tried to understand the *madrassas* better. P.W. Singer, an analyst in the Brookings Institute who has been referred to earlier, wrote that there were 10-15 percent 'radical' *madrassas* which teach anti-American rhetoric, terrorism and even impart military training.⁵² No proof for these claims was offered but they are credible given the fact that *madrassa* teachers often say that the U.S.A is at war with Islam.

Apart from the *madrassas* proper, religious parties—such as Lashkar-e-Tayyaba, Jaish-e-Mohammed and Harkat-ul-Mujahidin—print militant literature which circulates among the *madrassas* and other institutions. According to chapter-3 of a book entitled *Ideas on Democracy, Freedom and Peace in Textbooks* (2003) Ad-Dawah uses textbooks for English in which many questions and answers refer to war, weapons, blood and victory. According to the author:

The students studying in jihadi schools are totally brain washed right from the very beginning. The textbooks have been authored to provide only onedimensional worldview and restrict the independent thought process of children⁵³ (Liberal Forum 2003: 72).

Although these parties have been banned, their member are said to be dispersed all over Pakistan, especially in the *madrassas*. The *madrassas*, then, may be the potential centres of Islamic militancy in Pakistan. The government proposes to change this by teaching secular subjects in the *madrassas*, but change will come only when the level of pads reduced so that poor people can afford

⁴⁹ Alastair Lamb. 1977 *Incomplete Partition: The Genesis of Kashmir Dispute 1947/48* Karachi: Oxford University Press

⁵⁰ Joe Stephens and David B. Ottoway. 'From US, the ABC's of Jihad in Afghanistan', *The Washington Post*, 23 March 2002 p 1. Quoted from [www//washingtonpost.com](http://www.washingtonpost.com)

⁵¹ John K. Cooley 1999. *Unholy war: Afghanistan, America and International Terrorism* London: Pluto Press.

⁵² Singer 2001

⁵³ Liberal Forum 2003. *Ideas on Democracy, Freedom and Peace in Textbooks: Campaign Against Hate Speech*. Islamabad: Liberal Forum of Pakistan, Future Youth Group 72.

other systems of schooling. Above all, it will come when there is peace between India and Pakistan and the United States, as well as other Western powers, do not appear to oppress Muslims as in Palestine today. Such global changes cannot be brought about by any one government so it is futile to blame, or expect too much from, any one country as far as *madrassa*-based militancy, or merely intolerance creating a potential for such militancy, is concerned. ■

Annexure-1

**Monthly Income and Social Mobility of Students and Faculty in
Madrassas in Pakistan**

The following information has been collected in response to section 1 of the questionnaire which is given in Annexure-2. These questions are about the income of the family and, in the case of teachers, the medium of instruction of the school which they attended and their children attended.

Section-1: Monthly Income

The figures below give the monthly income of the families of students and faculty as reported by them in our sample. Those who have written the income as well as those who have not written, have been tabulated separately. The correspondence with socioeconomic class, however rough, is as follows:

Working (lower) class	=	Upto Rs 5000 per month.
Lower middle class	=	5001 - 10,000
Middle class	=	10,001-20,000
Upper middle class	=	20,001 - 50,000
Lower upper class	=	50,001 - 100,000
middle upper class	=	Above 100,000

The income is for the whole family and not of the individuals earning it. In most cases income of females has not been written, presumably because they are housewives and do not get paid. In case their income is written, the family income is calculated by adding their income to the income of the male earning member's income.

Income of the Families of Madrassa Students

N = 142

	Not written	Upto 5,000	5,001-10,000	10,001-20,000	20,001-50,000	50,000-100,000
Pay father	65 of 142 (47.77%)	59 of 77 (76.62%)	10 of 77 (14.86%)	04 of 77 (5.19%)	04 of 77 (5.19%)	Nil
Pay mother	139 of 142 (97.89%)	02 of 3 (66.66%)	1 of 3 (33.33%)	Nil	Nil	Nil
Father and Mother	N.A	1 of 3 (33.33%)	01 of 3 (33.33%)	1 of 3 (33.33%)		
Analysis: Most <i>madrassa</i> students belong to the working classes.						

Income of the Families of Madrassa Teachers

N=27

	Not written	Upto 5,000	5,001- 10,000	10,001- 20,000	20,001- 50,000	50,000- 100,000
Pay self	09 of 27 (33.33%)	13 of 18 (72.22%)	03 of 18 (16.66%)	02 of 18 (11.11%)	Nil	Nil
Pay spouse	26 of 27 (96.30%)	01 of 1 (100%)	Nil	Nil	Nil	Nil
Husband and wife	N.A	Nil	01 of 1 (100%)	Nil	Nil	Nil
Analysis: Most <i>madrassa</i> teachers belong to the working classes.						

Section-2: Social Mobility

Social mobility has been measured in the case of teachers. The only indicators which have been taken into account are (a) the medium of instruction of the teachers themselves when they were students (b) the medium of instruction of their children. As English-medium schools are more expensive than Urdu-or Sindhi medium ones, it is assumed that, when people get relatively prosperous, they tend to educate their children in English-medium schools.

Medium of Instruction in School				
	Number of respondents	Not written	Urdu	English
Own*	27	02 of 27 (7.41%)	21 of 25 (84%)	0 of 25 (0%)
Children's	27	12 of 27 (44.44%)	13 of 15 (86.67%)	2 of 15 (13.33%)

*NB: Out of 25 teachers, 2 (8%) wrote Pashto and 2 (8%) wrote Arabic as their medium of instruction.

Annexure-2

SURVEY 2003
Survey of Schools and *Madrassas*

This survey was conducted between December 2002 and April 2003 with the help of two research assistants Imran Farid and Shahid Gondal whom I take this opportunity to thank. The survey was conducted in Islamabad (myself), Rawalpindi (myself), Peshawar (myself), Karachi (myself), Mandl Bahauddin (Shahid Gondal), Lahore, Faisalabad and Multan (Imran Farid). It was a stratified, non-random survey because a complete list of all target institutions was not available. Moreover, we had to restrict ourselves to urban areas because we neither had the time nor the resources to venture into rural ones. The survey was financially supported by the Social Policy and Development Centre (SPDC), Karachi, to which I am very grateful.

Institutions were used as clusters but only students of class 10 and equivalent were given questionnaires in Urdu or English. They were told that, since they were not supposed to give their names, they should not hesitate to give their real views. After this the questionnaire was read out and explained. The filled questionnaires were collected at the end of the session.

The major stratas (1) Urdu-medium schools, (2) elitist English-medium schools (3) Cadet Colleges/Public Schools and (4) *madrassas*. There is a further stratification between the students and the teachers of these institutions. Gender-wise breakdown is also available. The following chart helps explain these strata:

TEACHERS			
	M (ale)	F female)	Total
English-medium	18	47	65
Cadet college/public schools	51	Nil	51
Urdu-medium	42	58	100
Madrassas	27	Nil	27
Grand Total			243

STUDENTS			
	M (ale)	F (emale)	Total
English-medium	62	52	116
Cadet college/public schools	130	Nil	130
Urdu-medium	123	107	230
Madrassas	142	Nil	142
Grand Total			618

As the views of each strata are taken separately, they do not represent their proportional share in the student population of Pakistan. The ages of the students are as follows:

Institutions	Mean	Mode	Range
Cadet colleges	15.5	15	12-19
<i>Madrassas</i>	19	20	14-27
English-medium schools	14.1	15	13-18

In the case of the *madrassas* the range is higher because some of the *samvia* class groups had older boys who had joined the seminary late. In the 'O' level groups both 10th and 11th were represented. Urdu-medium schools had only class-10 clusters.

There are two shortcomings: first, the number of *madrassa* teachers is very less; and secondly, the population of rural areas as well as Balochistan, the interior of Sindh, Northern Areas could not be represented. The first problem is because *madrassa* teachers were very reluctant to fill in the questionnaires. The second, as already mentioned, is because of lack of time and resources.

The questionnaires for students and teachers are reproduced here. Please note that -2 (on opinions) is exactly the same. Only part-1 is different for both.

QUESTIONNAIRE (FACULTY)

Do not write your name to ensure secrecy. Write the name of the institution in which you teach with medium of Instruction.

1. Sex (1) Male (2) Female
2. Education: (1) Below B.A (2) B.A (3) M.A (4) M. Phil (5) Ph.D
3. Which subject (s) do you teach?

What is the occupation of your spouse? Give his or her rank, title, occupational status; salary; grade; income from all sources etc.

What is your average total monthly income? Write income from all sources such as tuition, publications, consultancies, rent etc.

What is the medium of instruction of the school in which your children study (or studied)?

What was medium of instruction of the school in which you studied most?

QUESTIONNAIRE (STUDENTS)

Do not write your name to ensure secrecy. Write the name of your school with medium of instruction.

1. age.
2. Class
3. Sex (1) Male (2) Female
4. What is the occupation of your father? Give his rank, title, occupational status; salary, grade, income from all sources etc.

PART-II

(for both faculty and students)

What should be Pakistan's priorities?

1. Take Kashmir away from India by an open war?
(1) Yes (2) No (3) Don't Know
2. Take Kashmir away from India by supporting *Jihadi* groups to fight against the Indian army?
(1) Yes (2) No (3) Don't Know
3. Support the Kashmir cause through peaceful means only (i.e. no open war or sending *Jihadi* groups across the line of control?).
(1) Yes (2) No (3) Don't Know
4. Give equal rights to *Abmedis* in all jobs etc?
(1) Yes (2) No (3) Don't Know
5. Give equal rights to Pakistani Hindus in all jobs etc?
(1) Yes (2) No (3) Don't Know
6. Give equal rights to Pakistani Christians in all jobs etc?
(1) Yes (2) No (3) Don't Know
7. Give equal rights to men and women as in Western countries?
(1) Yes (2) No (3) Don't Know

**Consolidated Data of Opinions Indicating Militancy and Tolerance
Among three of Schools Students in Pakistan in Survey 2003
(in percentages)**

<i>Abbreviated Questions</i>		<i>Madrasahs</i>	<i>Urdu-medium</i>	<i>English-medium</i>	<i>Cadet Colleges / Public Schools</i>	<i>Govt Colleges (326)</i>	<i>Public Universities (206)</i>	<i>Private Universities (133)</i>
<i>Open War</i>	<i>Yes</i>	59.86	39.56	25.86	36.92	46.01	34.95	35.34
	<i>No</i>	31.69	53.04	64.66	60.00	48.47	55.34	57.89
	<i>Don't Know</i>	8.45	7.39	9.48	3.08	5.52	9.71	6.77
<i>Jihadi groups</i>	<i>Yes</i>	52.82	33.04	22.41	53.08	50.00	46.12	34.59
	<i>No</i>	32.39	45.22	60.34	40.00	38.04	43.20	57.14
	<i>Don't Know</i>	14.79	21.74	17.24	6.92	11.96	10.68	8.27
<i>Peaceful means</i>	<i>Yes</i>	33.80	75.65	72.41	56.15	60.43	58.25	57.14
	<i>No</i>	54.93	18.26	18.97	36.92	22.70	28.64	35.34
	<i>Don't Know</i>	11.27	6.09	8.62	6.92	16.87	13.11	7.52
<i>Ahmedis</i>	<i>Yes</i>	12.68	46.95	65.52	41.54	38.04	38.83	40.60
	<i>No</i>	82.39	36.95	9.48	36.92	38.34	49.51	36.84
	<i>Don't Know</i>	4.93	16.09	25.00	21.54	23.62	11.65	22.56
<i>Hindus</i>	<i>Yes</i>	16.90	47.39	78.45	64.62	59.20	54.37	69.92
	<i>No</i>	76.06	42.61	13.79	31.54	31.90	38.83	21.05
	<i>Don't Know</i>	7.04	10.00	7.76	3.85	8.89	6.80	9.02
<i>Christians</i>	<i>Yes</i>	18.31	65.65	83.62	76.92	72.09	66.99	78.95
	<i>No</i>	73.24	26.52	8.62	18.46	21.17	29.13	14.29
	<i>Don't Know</i>	8.45	7.83	7.76	4.62	6.75	3.88	6.77
<i>Women</i>	<i>Yes</i>	16.90	75.22	90.52	67.69	65.34	64.56	76.69
	<i>No</i>	77.46	17.39	6.03	25.38	30.98	31.55	17.29
	<i>Don't Know</i>	5.63	7.39	3.45	6.92	3.68	3.88	6.02

NB: Figures for (3) are uninterpretable because some respondents ticked opinion (1) and/or (2) while also ticking (3).

Comparative Chart for Opinions of Faculty Members of Different Educational Institutions

			Madrassas (27)	Urdu- medium schools (100)	English- medium schools (65)	Cadet Colleges/ Public Schools (51)	Govt Colleges (127)	Private Univers ities (44)	Public Univers ities (127)
1	Open War	Yes	70.37	20	26.15	19.61	20.47	20.45	14.17
		No	22.22	70	64.62	68.63	68.50	63.64	77.17
		Don't Know	7.41	10	9.23	11.76	11.02	15.91	8.66
2	Jibadi groups	Yes	59.26	19	38.46	39.22	18.11	34.09	25.98
		No	26.63	68	50.77	52.94	63.78	45.45	62.99
		Don't Know	11.11	13	10.77	7.84	18.11	20.45	11.02
3	Peaceful means	Yes	29.63	85	60.00	66.66	77.17	68.18	75.59
		No	66.67	10	33.85	19.61	13.39	18.18	18.11
		Don't Know	3.70	5	6.15	13.73	9.45	13.64	6.30
4	Ahmedis	Yes	3.70	27	43.07	29.41	32.28	59.09	50.39
		No	96.23	65	36.92	62.75	52.76	29.55	34.65
		Don't Know	NIL	8	20.00	7.84	14.96	11.36	14.96
5	Hindus	Yes	14.81	37	61.54	60.78	41.73	68.18	66.14
		No	85.19	58	26.15	35.29	48.03	22.73	25.98
		Don't Know	NIL	5	12.31	3.92	10.24	9.09	7.87
6	Christians	Yes	18.52	52	81.54	60.18	59.06	75.00	68.50
		No	77.77	42	10.77	33.33	32.28	15.91	24.41
		Don't Know	3.70	6	7.69	5.88	8.66	9.09	7.09
7	Women	Yes	3.70	61	78.46	37.25	66.14	79.55	71.65
		No	96.67	33	13.85	58.82	30.71	15.91	22.05
		Don't Know	NIL	6	7.69	3.92	3.15	4.55	6.30

Annexure-3

NUMBER OF MADRASSAS

The Government of Pakistan's report on the *madrassas* (GOP 1988) has given the number of *madrassas* in every province and other parts of Pakistan. The report, along with the increase in recent years, is being reproduced here. However, the numbers in each province is not available in recent sources. Thus the numbers for 2002 are based on many sources (like IPS 2002 and Khalid 2002) and do not give a reliable picture for all provinces.

Area	Others/ Jamat		Deobandi		Barelvi@		Ahl-i- Hadith		Shia		Total	
	1988	2002	1988	2002	1988	2002	1988	2002	1988	2002	1988	2002
Punjab	43	Nk	500	1176	548	994	118	Nk	21	202	1320	2372
NWFP	8	Nk	631	382?	32	51	5	Nk	2	13	678	446+
Sindh	6	Nk	208	687	61	487	6	26	10	48	291	1248
13'tan	31	Nk	278	624	34	25	3	Nk	1	15	347	664+
AK	3	Nk	51	36	20	28	2	Nk	Nil	03	76	140+
Islamabad	3	Nk	51	Nk	20	Nk	Nil	Nk	2	7	76	7+
FANA	3	Nk	60	Nk	2	Nk	27	Nk	11	33	103	33+
Girls <i>Madrassas</i>	Nk	40	Nk	Nk	Nk	Nk	Nk	Nk	Nk	Nk	Nk	448
Total of Sects	97	500	1779	7000	717	1585	161	376	47	419	2801	9,880

Source: For 1988 GOP 1988. For other figures the sources are given below.

+ The sign of plus means that the number of *madrassas* is more but cannot be determined.

X For *madrassas* in Sindh in 2002, Report by Sindh police quoted in *Dawn* [Karachi] 16 January 2003

@ For Barelvi *Madrassas*, except those in Sindh, see *Febrist Madaris-e-Mulhaqa* (Lahore: Tanzeem ul Madris, 1996).

The number of the *madrassas* given by the Wafaq-ul-Madaris (Shia), Lahore, is 354 which is more than the number which comes from adding the *madrassas* given in the police report for Sindh. The number for 2000 given in IPS 2002 is 297 (p. 32).

Nk = Not Known. Note: Numbers do not add up because the number of *madrassas* in the provinces is not given for 2002.

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OPERATION IRAQI FREEDOM AND WMD: IMPLICATIONS FOR GLOBAL POLITICS

Zafar Nawaz Jaspal *

The Bush Administration holds a strong argument to justify the United States' preventive war against the Saddam Hussein regime in Iraq. The basic supporting proposition for Operation Iraqi Freedom was that Baghdad possessed weapons of mass destruction (WMD).¹¹⁷ Washington and its allies presuppose that coupling of WMD and terrorism would be inevitable.¹¹⁸ The plea of war, however, is debatable.¹¹⁹ With the passage of time, the opposition to the US military invasion in Iraq has been growing. It is argued that this invasion has other objectives instead of eliminating terrorists' safe hideouts or breeding grounds and WMD.¹²⁰ Importantly, the continuous vigorous American efforts since March 2003 to find Iraq's alleged WMD have produced no results. In January 2004, David Kay, as head of the group surveying Iraq for the evidence of WMD, gave up the search and declared that

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¹¹⁷ President Bush said on 7 October 2002, "Saddam Hussein is a homicidal dictator who is addicted to weapons of mass destruction... has held numerous meetings with Iraqi nuclear scientists, a group he calls his 'nuclear mujahideen'— his nuclear holy warriors....facing clear evidence of peril, we cannot wait for the final proof—the smoking gun—that could come in the form of a mushroom cloud." See "President Bush Outlines Iraqi Threat", Remarks by the President on Iraq, Cincinnati Museum Center, Cincinnati Union Terminal, Cincinnati, Ohio, 7 October 2002.
<<http://www.whitehouse.gov/news/releases/2002/10/20021007-8.html>>, accessed on 25 October 2004.

¹¹⁸ In March 2004, while justifying his stance on the war British Prime Minister Tony Blair restated his pre-war position. He said, "it is a matter of time unless we act and take a stand before terrorism and WMD come together, and I regard them as two sides of the same coin." Quoted in Lawrence Freedmen, "War in Iraq: Selling the threat", *Survival*, vol. 46, no. 2, (Summer 2004), p. 17.

¹¹⁹ Condoleeza Rice, National Security Advisor, said, "Under his (President Bush) leadership, America has adopted a forward strategy for freedom for the Middle East. That strategy has many elements. We are supporting the people of Afghanistan and Iraq as they fight terrorists and extremism and work to build democratic governments." See Condoleeza Rice, "War on Terror", Address delivered to the US Institute of Peace, Washington, D.C., 19 August 2004, in *Vital Speeches of the Day*, vol. LXX, no. 22, 1 September 2004, p. 674.

¹²⁰ Patricia Owens, "Theorizing military intervention", *International Affairs*, vol. 80, no. 2, 2004, p. 355.

Iraq did not possess WMD.¹²¹ Subsequently, in October 2004 another US weapons inspector Charles A. Duelfer issued a 1,500-page report on the absence of WMD, which President Bush had used as a major justification for war against Saddam Hussein.

The controversial debate over determinants of Operation Iraqi Freedom further deepened, when President George W. Bush himself agreed that Iraq did not have the weapons that the US and its' allies intelligence agencies believed were there. On 8 October 2004 President Bush acknowledged that pre-war intelligence claiming Iraq had WMD was "wrong", but said his decision to invade Iraq was right.¹²² This statement substantiated what had already been referred to by many analysts, i.e. Operation Iraqi Freedom had a different purpose to serve, instead of a mere curbing the proliferation of WMD. For instance, one report suggests that barely five hours after the Pentagon building itself was hit on 11 September 2001 and having been told of Al-Qaeda's likely culpability, Defense Secretary Donald Rumsfeld requested plans for striking Iraq. His Deputy Paul Wolfowitz, made the case for Iraq to be an early target, even before Afghanistan.¹²³ Then Secretary of the Treasury Paul O'Neill recounted his reaction to Wolfowitz's argument at a meeting of the National Security Council on 13 September 2001: "I thought what Wolfowitz was asserting about Iraq was a reach, and I think others in the room did too. It was like changing the subject... I was mystified. It's like a bookbinder accidentally dropping a chapter from one book into the middle of another one. The chapter is coherent, in its way, but it doesn't seem to fit in this book."¹²⁴ These pieces of information authenticate the claims of a few opponents of war in Iraq, who charge that the real purposes of the war were to support Israel¹²⁵, control oil markets and even look after some of the leading companies associated with the Bush Administration, such as Haliburton.¹²⁶

¹²¹ Tabassum Zakaria, "Ex-Arms Hunter Kay Says No WMD Stockpiles in Iraq", *Reuters* 23 January 2004, <<http://www.commondreams.org/headlines04/0123-12.htm>>, Peter Symonds, "Chief US inspector admits Iraq had no WMD stockpiles", 28 January 2004, <<http://www.wsws.org/articles/2004/jan2004/iraq-j28.shtml>>. Accessed on 29 September 2004. For more details see "Searching for the Truth About Iraq's WMD An interview with David Kay, <<http://www.armscontrol.org/aca/midmonth/March/Kay.asp>>.

¹²² "Iraq had no WMDs, admits Bush", *Dawn*, Islamabad 9 October 2004.

¹²³ Lawrence Freedmen, op. cit., p. 17.

¹²⁴ Quoted in Jeffrey Record, "Threat Confusion and its Penalties", *Survival*, vol. 46, no. 2, (Summer 2004), p. 56.

¹²⁵ Despite the fact that Iraq does not share borders with Israel, both have seen each other as sworn enemies. Since Israel was created in 1948, the Iraqis have claimed a leading role in the Arab-Israel conflict. Therefore, the Israel attack on the Iraqi nuclear reactor called the Tammuz-1, or Osiraq in June 1981.

¹²⁶ A January 2003 opinion poll found that 76% of Russians, 75% of French, 54% of Germans and 44% of British believe that the desire to control Iraq's oil lies behind Bush's bellicosity. *Time*, 20 January 2003 mentioned in Note number 8, *Ibid.*, p. 41.

The important factor in this fiasco is that no link has yet been found between Baghdad's assertively secular regime and radical Islamist terrorists—al-Qaeda. Links between Baghdad and al-Qaeda are unproven and inherently unbelievable. In February 2003, Osama Bin Laden broadcast denounced Saddam Hussein as a “socialist and an infidel”, even while urging that any American invasion of Iraq be opposed, while senior al-Qaeda figures in captivity denied that there had ever been consideration of joint operations.¹²⁷ Jeffrey Record argued, “Take Saddam Hussein’s Iraq and Osama bin Ladan’s al-Qaeda as examples. The former was a secular, neo-Stalinist police state with traditional imperial ambitions, whereas the latter remains a fanatically anti-secular, elusive non-state actor with secret cells in reportedly 60 countries. Osama and Saddam were oil and water.”¹²⁸ On October 4, 2004 the US Defense Secretary Donald Rumsfeld, during a question-and-answer session before the Council on Foreign Relations in New York, also admitted that he knew of no “strong, hard evidence” linking Saddam Hussein's Iraq and al-Qaeda.¹²⁹ In addition, the democracy which replaces autocratic regime would presumably resemble that of Afghanistan — a ramshackle coalition of ethnic groups and warlords, utterly dependent on US military power and utterly subservient to US (and Israeli) wishes.

The majority of Muslims believed that the Bush Administration decided to crush another middle-sized Muslim State at minimal military cost. The defeat of Saddam Hussein would terrorize all the Muslim regimes. Consequently, they would submit to the demands of the Washington without any resistance. For example, Iran on its part can either be frightened into abandoning both its nuclear programme and its support for the Palestinians, or see its nuclear facilities destroyed by bombardment.¹³⁰ According to Melvyn P. Leffler, in the Muslim world substantial majorities think the US is overreacting to the terrorist threat and that Americans seek to dominate the world. He added, “Most worrisome of all is the reaction among ‘friendly’ Muslim nations: 59 percent of Turks, 36 percent of Pakistanis, 27 percent of Moroccans, and 24 percent of Jordanians say that suicide bombing against Americans and Westerners are

¹²⁷ Lawrence Freedmen, *Op. cit.*, p. 18.

¹²⁸ Jeffrey Record, *op. cit.*, p. 58.

¹²⁹ “No evidence of Iraq's al Qaeda link: US”, *Dawn*, (Islamabad) 6 October 2004.

¹³⁰ Recently, Iran expressed its apprehensions that Israel at the behest of the US may strike the Iranian Bushehr reactor as it did against Iraqi nuclear facilities at Osirak in 1981. As a defensive measure, the commander of the Iranian elite Revolutionary Guards General Muhammad Baqer Zoiqadr warned, “if Israel fires one missile at Bushehr atomic power plant, it should permanently forget about Dimona nuclear centre, where it produces and keeps its nuclear weapons, and Israel would be responsible for the terrifying consequences of this move”. See “Iran threatens to destroy Israeli nuclear site”, *The News International*, 19 August 2004, p. 1.

justified in Iraq.”¹³¹ The idea, in other words, is to scare these states not only into helping with the hunt for al-Qaeda, but into capitulating to the US, and more important, Israeli agenda in the Middle East.¹³² Therefore, the breadth and depth of the current anti-Americanism are unprecedented in Muslim world.

The analysts opine that if President Bush's vision of a quick military victory, a benign and untroubled occupation, and the quick construction of a democratic Iraq is correct, then the rules and structures of the international system will be completely re-written in favour of a US-centric system. According to the realist school of thought and cyclical theory, these things are not possible. Importantly, the current trends are against the perceptions of the American Neo-Cons. The US military invasion in Iraq has significant repercussions. Iraq war is not only destructive for international order, or arrogant denial of the great majority of the international community, but also contrary to some of the basic needs of the war against terrorism, i.e. the sincere support of Muslims in the international war against terrorism in particular, and the international community's consensus/collective approach to combat terrorism in general. Moreover, the magnitude and likely duration of the US military presence in Iraq has also significantly reduced Washington's ability to respond elsewhere militarily.¹³³

Before a detailed examination of the ramifications of Operation Iraqi Freedom is undertaken, it seems appropriate to briefly identify the dangerous trends in terrorism and of the question why the US national security agenda gives priority to combating terrorism. The study is divided into two parts. The first section deals with the dangerous trends in terrorism and the possibility of the use of WMD by terrorists. The second part contains a discussion of the Operation's implications for the global politics.

Dangerous Trends in Terrorism

The trends in terrorism are not static and have been changing with the passage of time. In the present age, we are experiencing an alarming change in these trends. New adversaries, new motivations and new rationales, which have emerged in recent years, can couple with today's increased opportunities and capabilities to launch terrorism on a trajectory towards higher levels of lethality,

¹³¹ Melvyn P. Leffler, "Bush's Foreign Policy", *Foreign Policy*, (September/October 2004), p. 26.

¹³² Even though the US has never fought alongside Israeli forces and there is no formal security arrangement, the US government has resupplied them during combat, sought to send strong deterrent messages in support of Israel during regional hostilities, and otherwise made it clear that Washington would not allow Israel to be threatened. Kurt M. Campbell, "The End of Alliances? Not So Fast", *The Washington Quarterly*, (Spring 2004), p. 155.

mass destruction and mass killing, and to challenge the conventional knowledge about it. In addition, the current wave of international terrorism, characterized by unpredictable and unprecedented threats from non-state actors, is a complex puzzle. Today, terrorist activities not only begin and end in a single country, but may also cross national borders. At the start of the 21st century, most terrorists targeted citizens and property in external countries, and because terrorist acts are spread throughout the globe, the risks are widespread.¹³⁴ Since the terrorist attacks in New York and Washington on 11 September 2001, the US national security agenda gives high priority to combating terrorism. It is because of the dangerous trends in terrorism that harm its national interests. Following are some of the important trends:

1. Terrorist groups are operating globally as part of a worldwide network. They are integrated by transnational non-state organizations through global networks of terrorist cells located in many countries, involving unprecedented levels of communication and coordination.
2. Modern terrorism is very lethal. Terrorists now have shifted their tactics from theatrical violent acts seeking to alarm for sake of publicity to the purposeful destruction of a target populated entirely by civilian non-combatants, to kill as many people as possible for the purpose of instilling fear in the public. They have used chemical and biological agents for their nefarious acts. There is also a fear that terrorists might one-day use nuclear weapons.
3. The average number of casualties per terrorist incidents is increasing. Nearly 3000 people were killed as a result of September 11, 2001 attack.
4. The states (axis of evil) could use terrorist groups as proxies in their own fights. The support of states enhances the reach and power of terrorist groups.
5. Increasing proportion of cross-international border terrorists attacks were/are aimed at the American facilities or citizens.

WMD Terrorism: Myth or Reality

The 11 September 2001 terrorist attacks on New York and Washington have raised dramatically the concerns about the potential for WMD terrorism. The consequences of an act of WMD terrorism would be devastating in many respects — human, social, psychological, economic, and political. Even before 11 September the then US President Bill Clinton stated in January 1999, that the US would be subject to a terrorist attack—involving chemical or biological

¹³³ In operation Iraqi Freedom, the US has apparently carried a greatly disproportionate military and financial burden, despite size of the coalition (nearly 40 states are involved in one way or another). Kurt M. Campbell, *Op. cit.*, p. 161.

¹³⁴ Charles W. Kegley Jr. and Eugene R. Wittkopf, *World Politics: Trend and Transformation*, Ninth Edition (New York: Thomson and Wadsworth, 2004), p. 432.

weapons within the next few years.¹³⁵ Is it possible? How did the terrorist organisations manufacture or acquire WMD? Realistically, it seems possible that the terrorists would use WMD for their nefarious designs. A new breed of terrorists — including ad hoc groups motivated by religious conviction or revenge, violent right-wing extremists, and apocalyptic and millenarian cults, appears more likely than the terrorists of the past to commit acts of extreme violence. The overriding religious belief in Armageddon establishes a strong motive for some cults to use the WMD weapons. Jessica Stern argued:

Religiously motivated terrorists might decide to use weapons of mass destruction, particularly biological agents, in the belief that they were emulating God. The fifth plague with which God punishes the Pharaoh in the story of the Israelites' Exodus from Egypt is murrain, a group of cattle diseases that includes anthrax. In I Samuel 5: 9, God turns against the Philistines with a very great destruction, killing them with a pestilence that produces Emerods in secret parts...Some terrorists might feel they were following God's example by employing these agents.¹³⁶

The new trends in terrorism indicate that WMD suit terrorists' strategy, i.e. to cause a large number of indiscriminate casualties. The usage of WMD not only multitudinously increases the lethality of the terrorists' acts, but the government of a state attacked with such weapons would have difficulty in controlling panic. Because chemical and biological weapons are silent killers, an attack could occur at any time without warning. Importantly, in recent years terrorists have been acquiring crude chemical and biological agents, and some have plotted or threatened to use them. For example, Christian Patriots had shown interests in biological weapons. The biological agents are deadly weapons. For example, 100 kilograms of anthrax could kill up to three million people if dispersed under optimal conditions.¹³⁷ In May 1995, just six weeks after the Aum Shinrikiyo incident in Tokyo, Larry Wayne Harris, former member of neo-Nazi organizations, bought three vials of yersinia pestis, the bacterium that causes bubonic plague. In addition, there are reports, which indicate that terrorist organizations have been trying to get nuclear devices for their terrorist acts. According to American findings, Osama bin Laden had stated that acquiring nuclear weapons was a "religious duty" and the International Atomic Energy Agency had concluded that al Qaeda was "actively seeking" an atomic bomb. Testimony by Jamal Ahmad al-Fadl, a former bin Laden associate, in the trial of those convicted in the 1993 World Trade Center

¹³⁵ Nadine Gurr and Benjamin Cole, *The New Face Of Terrorism Threats from Weapons of Mass Destruction* (London: I. B. Tauris Publishers, 2000), p. 2.

¹³⁶ Jessica Stern, *The Ultimate Terrorists* (London: Harvard University Press, 2000), pp. 70, 71.

¹³⁷ Nadine Gurr and Benjamin Cole, *op. cit.*, pp. 3, 4.

bombing, recounted al-Fadl's extensive but unsuccessful efforts to acquire enriched uranium for al Qaeda.¹³⁸

The terrorist organizations might acquire WMD in various ways. It is an open secret that the WMD weapons' components and know-how are available in the black market. Importantly, unlike nuclear weapons, the materials and tools required to create biological warfare agents are easily accessible and cheap. Therefore, biological and chemical weapons are often referred to as the poor man's nuclear bomb. A state of the art biological laboratory could be built and made operational with as little as \$10,000 worth off-the-shelf equipment and could be housed in a small room.¹³⁹ In addition, hundreds of tons of nuclear material, the essential ingredients of nuclear weapons, are stored at vulnerable sites throughout the former Soviet Union, guarded only by underpaid, hungry, and disheartened people. At least eight thefts of materials (weapons-usable) that could be used to make nuclear weapons have been confirmed.¹⁴⁰ In addition to Russian sources the Americans have been expressing great concern over Pakistan's nuclear programme. Moreover, there are many recorded cases of theft of medical isotopes and other sources of radiation. These incidents are often overlooked because radioisotopes cannot be used to make detonable nuclear bombs. But terrorists could use them to draw attention to their cause, to wreak havoc, and to terrorise civilians.

The important question is whether terrorist organizations could be capable of using WMD accurately, especially nuclear weapons. The published literature about these weapons reveals that it is easy to use chemicals and biological agents to poison agricultural commodities, infect livestock, or gas passengers on trains or planes. It is generally viewed that nuclear weapons are extremely difficult to manufacture. It seems appropriate here that distinction must be drawn between the kind of military weapons, which states strive to develop and the rougher types of devices, which terrorists would be satisfied with. A physics PhD student could design a crude nuclear device, and the terrorists' requirement is the radiological bomb, in which radioactive materials are packed around a conventional bomb and an incendiary material. With this type of weapon the explosion leads to a fireball, shooting the radioactive material up into the air, which then falls back to earth, scattering over a wide

¹³⁸ "Nuclear Terrorism: A Briefing Paper", *International Physicians for the prevention of Nuclear War*, <<http://www.ippnw.org/NukeTerrorism01.html>>, accessed on 13 October 2004.

¹³⁹ M. G. Chitkara and Girdhari Sharma, *International Terrorism* (New Delhi: A.P.H. Publishing Corporation, 2002), p. 89.

¹⁴⁰ The Russian officials have repeatedly denied that any smuggling case involved weapon-grade nuclear material, which, according to strict definition, is uranium enriched to more than 90 percent U-235 or plutonium with less than 7 percent Pu-240. Ibid. p. 97.

area. The primary purpose of such weapons is to spread radioactive contamination rather than cause casualties through blast effects.¹⁴¹

The recent year's terrorist record indicates that the possibility of using biological and chemical weapons is more than the use of nuclear weapons. The reason being that the technological problems associated with manufacturing nuclear weapons. In fact, the availability of pertinent material and the manufacture of chemical and biological weapons are easy as compare to nuclear weapons. More precisely, the general perception is that the acquisition of enriched uranium or plutonium is difficult because the nuclear facilities are well guarded. Though it would be difficult for the terrorists to acquire and use nuclear weapons but such a use is plausible. The use of nuclear weapons by terrorists cannot be ruled out in totality in future terrorist acts, because of state sponsored terrorism. Paul Wilkinson argued that "many terrorists movements are directly encouraged, sponsored and aided by regimes in order to weaken or subvert rival states."¹⁴² It follows from these connections that the pro-terrorist states assist the terrorist organizations by providing nuclear radioactive material. Moreover, the emergence of a black market in nuclear materials makes clear that the risk of nuclear terrorism is growing. For example, three cases of seizing of plutonium and one of highly enriched uranium (HEU) in Germany took place during the summer of 1993, showing the emergence of a black market in nuclear materials being smuggled out of the former Soviet Union.¹⁴³ How much HEU is needed to make a nuclear bomb? A research team at the University of California found that three kilograms would be sufficient. By means of computer modeling of a simple fission weapon design, they found a nuclear yield equivalent to more than 100 tons of high explosives could be achieved with only one kilogram of HEU and a yield of half that of the Hiroshima bomb with five kilograms.¹⁴⁴

Nuclear terrorism could take many forms, any one of which would be a disaster by any measure. The following are some of the methods, which the terrorists might adopt.

Obtaining the Fissile Material to Make a Dirty Bomb

The most accessible nuclear device for any terrorist would be a radiological dispersion bomb (RDDs) also called Dirty Bomb. It's manufacture and use is

¹⁴¹ Nadine Gurr and Benjamin Cole, *op. cit.* pp. 44, 45.

¹⁴² Paul Wilkinson, "Terrorism: International Dimensions" in William Gutteridge, *The New Terrorism* (London: Mansell Publishing Limited, 1986) p. 29.

¹⁴³ These seizures were relatively small compared to the seizures of HEU that were also reported to have taken place: one involving six pounds in St. Petersburg in March 1994; 4.5 pounds in Lithuania in 1992, three kilograms in Czech Republic in 1994 etc. K. Bhushan and G. Katyal, *Nuclear Biological and Chemical Warfare* (New Delhi: A.P.H. Publishing Corporation, 2002), p. 137.

¹⁴⁴ *Ibid.*

simple and would be an effective weapon of terror because severe disruption would result from the widespread fear of radioactive contamination and long-term health affects. A dirty bomb consists of waste by-product from nuclear reactors wrapped in conventional explosives, which upon detonation would spew deadly radioactive particles into the environment. Thereby augmenting the injury and property damage caused by the explosion. The capability of an RDD to cause significant harm is largely dependent on the type of radioactive material used and the means used to disperse it. Other important variables include location of the device and prevailing weather conditions.

A dirty bomb is an expedient weapon, in that radioactive waste material is relatively easy to obtain. Radioactive materials that could be employed in RDDs range from radiation sources used in medicine or industry to spent nuclear fuel from nuclear power plants. Hence radioactive waste is widely found throughout the world and in general is not as well guarded as actual nuclear weapons. For instance, in the US, radioactive waste is located at more than 70 commercial nuclear power sites.¹⁴⁵ In addition, it is an open secret that in the Russian Federation security for nuclear waste is especially poor. There have been incidents of theft regarding nuclear radioactive material missing from the Russian nuclear facilities.¹⁴⁶

Vulnerability of Nuclear Facility

A terrorist attack on a commercial nuclear power plant with a commercial jet or heavy munitions could have an effect similar to a radiological bomb, and cause far greater casualties. If such an attack were to cause either a meltdown of the reactor core (similar to the Chernobyl disaster), or a dispersal of the spent fuel waste on the site, extensive casualties could be expected. In such a case the power plant would be the source of the radiological contamination, and the plane or armament would be the explosive mechanism for spreading lethal radiation over large areas.

Theft of an Intact Bomb

The possibility that terrorists could obtain an actual atomic device is very difficult, but not inevitable as nuclear weapon states manufacture tactical nuclear weapons. The weapon is small and can be easily carried. However, bomb-grade nuclear fissile material (highly enriched uranium or plutonium) is relatively heavily guarded in most, if not all, nuclear weapon states. Although generally better secured than nuclear materials, there is still a possibility that

¹⁴⁵ Bruce G. Blair, "What if the terrorists go nuclear?", *Terrorism Project*, Washington. D.C., Center For Defense Information, 1 October 2001.

<<http://www.cdi.org/terrorism/nuclear.cfm>>, Accessed on 13 October 2004.

¹⁴⁶ K. Bhushan and G. Katyal, *Nuclear Biological and Chemical Warfare* (New Delhi: A.P.H. Publishing Corporation, 2002), p. 137.

nuclear weapons could be stolen by terrorists. In 1986, the NCI\SUNY International Task Force on the Prevention of Nuclear Terrorism raised concerns about the vulnerability of tactical nuclear weapons to theft. Since the 1991 collapse of the Soviet Union, the United States and Russia have removed nearly all their tactical nuclear weapons from overseas deployment. However, there has been continued speculation that some number of Soviet "suitcase bombs" (small one-kiloton portable nuclear weapons made by the Soviet Union in the 1970s) remain unaccounted. There have been conflicting reports about whether all of these weapons are accounted for, and some concern that such weapons may have been sold by profiteers in the wake of the Soviet Union's collapse in the 1990s.¹⁴⁷ Moreover, security weaknesses have been identified at nuclear weapons laboratories and other installations in nuclear weapon states.

Implications for Global Politics

Operation Iraqi Freedom has significant impact on global politics in general and Middle East in particular. The Neo-Cons around Mr. Bush have been calling for regime changes in Syria, Iran and even Sudan. It reveals that risk exists for further US interventions before the chaos and anarchy created in Iraq and Afghanistan could be resolved. The US strategy to eliminate terrorism indicates that it is entirely relying on military solutions and undermining political options. The military campaign against Afghanistan and Iraq manifest that military strategy is a short-term solution. More precisely, toppling regimes in Kabul and Baghdad, the Taliban and Saddam Hussein, respectively by war did not end the terrorists' nexus. The durability and sustainability of a victory against terrorism requires a political strategy. Michael Mousseau argued, "To win the war against terror, the US and its allies must have both a military strategy and a political strategy. Achieving a political victory requires an understanding of the social basis of terror—that is, the values and beliefs that legitimize the use of extreme and indiscriminate violence against the civilian population of out-groups."¹⁴⁸ Audrey Kurth Cronin has observed that "the US response to this reality (terrorism) has been reactive and anachronistic." He added, "the combined focus of the US on the state-centric threats and its attempt to cast twenty-first-century terrorism into familiar strategic terms avoids and often undermines effective responses to non-state phenomenon."¹⁴⁹

¹⁴⁷ Some experts have suggested that the technical expertise of a Soviet scientist familiar with their construction would be required for detonation, and there is some question about whether such weapons would even work after decades without maintenance. But the unknowns about such mini-nukes, combined with their portability, is cause for deep concern. "Nuclear Terrorism: A Briefing Paper", op cit.

¹⁴⁸ Michael Mousseau, "Market Civilization and Its Clash with Terror", *International Security*, vol. 27, no.3, (Winter 2002/03), p. 5.

¹⁴⁹ Audrey Kurth Cronin, "Behind the Curve: Globalization and International Terrorism", *International Security*, vol. 27, no.3, (Winter 2002/03), p. 30.

The following are some of the important implications.

Increasing Terrorism

In November 1983, the US removed Iraq from the list of nations that support international terrorism and Donald Rumsfeld, as a special representative of the then President Ronald Reagan, personally conveyed this good news to Saddam Hussein.¹⁵⁰ After meeting with the Iraqi dictator Rumsfeld cabled Washington that his meeting marked a positive milestone in the development of US-Iraqi relations and will prove to be of wider benefit to the US posture in the region.¹⁵¹ In fact, the former USSR's invasion of Afghanistan and the Islamic Revolution in Iran in late 1970s forced the US led West to seek good relations with Iraq, and, in doing so, showed no inclination to respond to evidence of Iraqi WMD. Iraq's aggression against Iran was not deplored. The termination of Iran-Iraq war (1980-88), however, eroded Saddam Hussein's relevance in the US Middle East policy. In August 1990 Iraq's invasion of Kuwait provided an opportunity for the US to bring remarkable might of modern military technology to bear on Iraq. Since then Iraq is a state of concern or a rogue state or member of the axis of evil in the US strategic calculation. Therefore, a policy of containment with significant coercive element was adopted against Iraq during 1990s. The 9/11 terrorist attack further worsened Iraq position. The Bush administration accused Saddam Hussein of lending support to international terrorism.¹⁵² Ironically, the US de-classified reports about the 9/11 reveal that Baghdad was not at all involved with 9/11 and did not possess weapons of mass destruction. Despite it, the Bush administration unleashed America's military might against Iraq alleging Baghdad as being the breeding ground for terrorists. Moreover, there is no credible connection between Baghdad and al Qaeda, but in the Neo-Cons mind the two are one; and thus, President Bush promised the nation, "The terrorist threat to America and the world will be diminished the moment that Saddam Hussein is disarmed".

Saddam Hussein's entire set up was expelled in 2003. The leading figures of his regime were either killed or arrested. Saddam Hussein himself is in the custody of coalition forces in Iraq. What is its impact on the terrorism? Realistically, Operation Iraqi Freedom in addition to other factors has been increasing both amateur and organized terrorism. A senior American counterintelligence official told *The New York Times*, "an American invasion of Iraq is already being used as a recruitment tool by al Qaeda and other groups," "And it is a very effective tool." In a March 2004 Pew survey of European and

¹⁵⁰ Imtiaz H. Bukhari, "The US, Oil, and the Geopolitics of the Persian Gulf", *IPRI Journal*, vol. IV, no. 2, (Summer 2004), p. 49.

¹⁵¹ Jeffrey Record, op. cit, p. 55.

¹⁵² In January 2002, in his state of union address President Bush stated that axis of evil could provide WMD to the terrorists organization. See also Lawrence Freedmen, op. cit.

Middle Eastern countries, a majority in seven of the eight nations surveyed believed U.S. and British leaders lied about the Iraq war.¹⁵³ According to them there was no connection between Saddam and Al Qaeda. Therefore, their governments should not support the US in its military campaign in Iraq. The denial of Operation Iraq Freedom by the public was manifested in the last Spanish elections—defeat of pro-US Spanish political party in the election. It seems that the Spanish voters believed their government's close cooperation with the United States, and specifically with the Bush administration in Iraq, had brought the wrath of the terrorist organization on them. They concluded that possible way to avoid future terrorist attacks was to choose a government that would withdraw from Iraq and distance itself from the United States.

The terrorist attack in Madrid and its shocking impact on the Spanish elections in March 2004 had brought the United States and Europe to the edge of the abyss. There is no denying that Al Qaeda (provided it was involved) had struck a strategic and not merely a tactical blow. To murder and terrorize people is one thing, but to unseat a pro-U.S. government in a nation that was a linchpin of America's alliance with the so-called New Europe -- that is Al Qaeda's most significant geopolitical success since 11 September 2001. To be precise, baby Al Qaedas are being spawned in new regions of the world, and a new generation of terrorists is stepping up to take the place of those killed in Afghanistan or detained at Guantanamo Bay. Therefore, former national security advisors Brent Scowcroft and Zbigniew Brzezinski and former Secretary of State Madeline Albright had expressed their fears that war of choice against Iraq would weaken the war of necessity against Al-Qaeda by distracting America's strategic attention to Iraq, gobbling up money and resources better applied to homeland defense.¹⁵⁴ European Commission President Romano Prodi commented in the wake of the Madrid attacks: "It is clear that using force is not the answer to resolving the conflict with terrorists." Terrorism, he said, "is infinitely more powerful than a year ago." In sum, the Operation Iraqi freedom had negative impact on the war on terrorism.

¹⁵³ Michael Pan and Amanda Terkel, "Why Credibility Matters", *Center For American Progress*, 24 August 2004.

<http://64.4.16.250/cgi-bin/linkrd?_lang=EN&lah=9a958a5a98fc9d73fc3c6778770a903e&lat=1093440969&hm___action=http%3a%2f%2fwww%2eamericanprogress%2eorg%2fsite%2fpp%2easp%3fc%3dbjRJ8OVF%26b%3d165288> accessed on 25 August 2004.

¹⁵⁴ Jeffrey Record, *op. cit.*, p. 61.

Increasing Instability in the Middle East

The US military campaign against Iraq has initiated a process of instability in Middle East. The Iraqis' have started asymmetrical warfare against the coalition forces in the occupied Iraq. The rising number of casualties among coalition forces and civilian is not in the interest of the US. In short, the instability in Iraq would have a spill over effect on the neighboring states in particular and on the region in general. Moreover, it is obvious that hawks in the Bush administration believe that Iraq is the beginning, not the end. It is because Iraq was not the only country in the Middle East to seek WMD. Many of its neighbors such as Iran, Syria, Israel, and Egypt are believed to have different kinds of WMD. Also, Iraq was not the only Middle Eastern to use chemical weapons. Egypt used them its war in Yemen in the early 1960s and Libya used them in the war in Chad several years latter.¹⁵⁵ Iraq is the start of a plan to change all the regimes (viewed as hostile to the US interests) in the Middle East. If a tyrant like Saddam can be brought down, others are going to begin to think and act to bring down the tyrants that are inflicting them and the U.S. troops would be there to help in these transformations, operating from the new, more secure bases in Iraq. The Libyans were quick in assessing the changed environment in the Middle East. In November 2003, Moammar Gadhafi renounced Libya's WMD programme and opened his country's weapons laboratories to international inspection. The Libyan government gave documents to the U.S. officials in order to satisfy their concerns.

The Iraqi resistance manifests that common Arab or the mass movements in the Arab world during the war were anti-American, not pro-democracy. They did not support the US led forces in Iraq. In fact, Arab citizens were inflamed over what they consider the brutal military assaults of Ariel Sharon's government against unarmed Palestinians. Thus, they excuse suicide bombers and consider American troops as Israeli reinforcements, not Iraq's liberators. It is undeniable fact that the "Fatwahs" were already flowing from mainstream clerics urging all Muslims to resist the U.S. invasion. The Middle East experts opine that governments may indeed fall, but it may be the rulers in Jordan that are threatened, not the dictatorship in Syria or revolutionary leadership in Iran. Hence, the US unilateralism in its foreign policy and preemption in its security policy have profoundly affected Middle East. Gabriel Kolko argued, "Geopolitically, the consummately ambitious American plan for restructuring the Middle East's politics, making it more congenial to itself as well as to Israel, is very likely to fail. Arab opinion—even among those once friendly to the US—was overwhelmingly anti-war and passionately angry, a fact that will only increase terrorism's appeals and its

¹⁵⁵ Gawdat Bahgat, "Proliferation of Weapons of Mass Destruction: Iraq and Iran", *The Journal of Social, Political and Economic Studies*, vol. 28, no. 4, (Winter 2003), p. 423.

dangers to Americans and their allies. The vast majority of Arabs believe that the outcome of war on Iraq will be instability for the entire region.”¹⁵⁶ Thus, it seems that instead of stability, instability would prevail in the Middle East.

Weakening of International Institutions

Since the end of First World War the collective security concept had gained importance in the US foreign policy. Agreed that sometimes the American presidents supported it theoretically only, but they were not so scornful of world opinion. For example, late President, Truman had the United Nations with him in the Korean War, Kennedy had the Organization of American States backing his blockade of Cuba. Former President Bill Clinton had NATO on his side in the war in Kosovo. While on the contrary, President Bush had gone almost alone in case of Iraq in 2003. Neither United Nations nor NATO approved the Operation Iraqi Freedom. The present US strategy indicates that there is a major shift in the US foreign and national security policy strategy. Instead of relying on traditional US alliance system, once considered force multiplier, the Bush administration sees alliances or UN arrangements based on collective security principles as deadweight anchors that effectively slow US response time to urgent challenges and reduce US freedom of movement in the international arena in the current environment. Nevertheless, Bush administration’s penchant for unilateralist action has led to increasingly frequent arguments that UN security system is in fast decline, if not already dead. It is antithesis to the visionary occurrence in the international system in the aftermath of 1991 Gulf War. The New World Order to be created by the Gulf War was to be a world order centered on the United Nations; so if global solutions to a security problem were needed, they would begin to be found at the United Nations.¹⁵⁷ The Operation Iraq Freedom, however, deny this process.

The international public opinion, therefore, worries more about the misuse of U.S. power than about Saddam Hussein. Of the one hundred and ninety six countries in the world, only twenty or thirty governments support the war. The overwhelming majorities (common man) in almost all these nations opposed Operation Iraqi Freedom. If the war goes well, world publics may fear emboldened, post-war US intentions, even more. The post war intentions become obvious with the US increase in defense budget, planning to spend \$2,100 billion on the military from 2003 to 2008. Power has been defined in terms of military might, not as neo-liberalism advocates, in terms of the promotion of high ideals, such as free trade and free governments to secure a

¹⁵⁶ Gabriel Kolko, “Iraq, the United States, and the End of the European Coalition”, *Journal of Contemporary Asia*, vol. 33, no. 3, 2003, p. 296.

¹⁵⁷ David Mutimer, *The Weapons State: Proliferation and the Framing of Security* (Colorado: Lynne Rienner Publishers, Inc, 2000), p. 1.

democratic peace. The Bush Doctrine seems likely to generate exactly the anti-US coalitions that it was designed to discourage. The anti-US coalition could divide the world into hostile camps, which would be identical to the Cold War strategic competition and negation of collective security approach for constituting and sustaining international peace.

Proliferation of WMD

On 15 July 1999, the Rumsfeld Commission in its report unanimously concluded that concerted efforts by a number of overtly or potentially hostile nations to acquire ballistic missiles, with biological or nuclear payloads, pose a growing threat to the US, its deployed forces and to its friends and allies. These newer perceived developing threats in North Korea, Iran and Iraq are in addition to those still posed by the existing ballistic missile arsenals of Russia and China, nations with which the US is not now in conflict but which remain in uncertain transitions.¹⁵⁸ President Bush stated that, for countries of concern, “terror and blackmail are a way of life.” He added “they seek” missiles armed with “weapons of mass destruction to keep the US and other responsible nations from helping allies and friends in strategic parts of the world”.¹⁵⁹ On 1 February 2001, the US CIA Director George Tenet argued in his report, “It is true that we are the most powerful nation of the world and there is no doubt that we will be threatened by nations that do not share our interests, values, and beliefs.”¹⁶⁰ On 18 February 2002 President George W. Bush while discussing his axis of evil policy, at a news conference with Japanese Prime Minister Junichiro Koizumi in Takoyo, said, “all options on the table.... The leaders I've talked to fully understand, exactly, what needs to happen... We're going to seize the moment, and do it.”¹⁶¹ Are Iran, Iraq and North Korea rogue states or do they form an Axis of Evil? Is possession of weapons of mass destruction justifying or legitimize the US military operations against the possessors? The international community has to answer these questions rationally and reasonably.

Importantly, the empirical research indicates that the basis for declaring Iran, Iraq and North Korea as rogue states club members is inadequate. Like many other terms of political discourse, the term Rogue State has two uses: a propagandist use, applied to assorted enemies, and a literal use that applies to

¹⁵⁸ The commission is known as Rumsfeld Commission, after its chairperson, Donald H. Rumsfeld. See ‘Executive Summary of the Report of the Commission to assess the Ballistic Missile Threat to the United States’.

<<http://www.fas.org/irp/threat/bm-threat.htm>>.

¹⁵⁹ Ben Sheppard, 'US missile defence plans consign ABM Treaty to history, but where do the allies go from here?' *Jane's information Group*, (May 3, 2001).

¹⁶⁰ Alireza Akbari, “Security Considerations and Iran-Russia Cooperation”, *Amu Darya The Iranian Journal of Central Asian Studies*, vol. 6, no. 8, (Spring 2000),1 pp. 86, 87.

¹⁶¹ “Bush reiterates warning to 'axis of evil'”, *Dawn Islamabad* (19 February 2002).

states who do not regard themselves as bound by international norms. Logic suggests that the most powerful states should tend to fall into the latter category unless internally constrained, an expectation that history confirms. In March 1999, the newsletter of the American Society of International Law observed that international law is today probably less highly regarded in the US than at any time in the century.¹⁶²

Iraq was singled out as the preeminent villain of the proliferation discourse, identified as the paradigmatic rogue state. According to the Americans account, Saddam Hussain had WMD and links with the international terrorists network. In 1991 Gulf War, the fear throughout the fighting had been that Iraq would use the WMD. In the end, however, the war proved entirely conventional. The WMD were not fired, but it was likely, if not certain, that they were still there. What was to be done about these Iraqi weapons? Iraq had lost conventional war, and convention dictates that victors can write the terms of a cease-fire. What was written was UN Security Council Resolution 687, which ordered Iraq to disarm, and the United Nations created a special organ, the United Nations Special Commission (UNSCOM), to make sure Iraq complied. In 1998, Saddam government and UNSCOM inspectors had a deadlock, which led the UNSCOM inspectors to pack up and left Iraq. The crisis emanated after the Iraqi government's objection to the presence of Americans in the team of international inspectors charged with disarming Iraq, claiming that the US was spying on Iraq and that US members of the UNSCOM were therefore no longer welcome. The inspection team had a slightly different explanation for Iraq's actions. According to UNSCOM members, they were on the verge of uncovering the lethal VX liquid nerve agent when Saddam Hussain ordered US members of the team to leave Iraq.¹⁶³ Richard Butler reported to the UN on continued Iraqi obstruction.¹⁶⁴ To be precise, non-compliance of Baghdad resulted in the US and British massive air strikes—Operation Desert Fox—to punish Iraq for failing to follow the rules.¹⁶⁵

The Bush Administration had exaggerated the Iraqi threat and launched a military campaign against the Saddam Hussain regime. President George W. Bush told the American people on 17 March 2003 that: "Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues

¹⁶² Noam Chomsky, *Rogue States: The Rule of Force in World Affairs* (London: Pluto Press, 2000), p 1.

¹⁶³ *Ibid.*, p. 77.

¹⁶⁴ Lawrence Freedman, *Op. cit.*, p.13.

¹⁶⁵ In the crisis over Iraq in autumn 1998, three of the permanent members of the United Nations Security Council—the Russian Federation, France and China were not convinced that military force was the appropriate response to Iraq's intransigence.

to possess and conceal some of the most lethal weapons ever devised."¹⁶⁶ This indicates that US attacked Iraq because of its weapons of mass destruction program. As a result the scope of war on terrorism has been broadened, i.e., the inclusion of states suspected of developing weapons of mass destruction as legitimate targets for the US. This military campaign is not viewed as a positive development for the efforts for curbing the proliferation of weapons of mass destruction. It has not only discarded the UN inspections that had effectively contained Saddam Hussain unconventional weapons programs¹⁶⁷, but also introduced a new trend in the global politics.

Realistically, it seems too simplistic to endorse that the military action in Iraq would eliminate the proliferation of weapons of mass destruction. Many security analysts argue that since the end of Cold War and sudden demise of an enemy that had kept the American strategic thinkers completely preoccupied throughout the Cold War, there has been created a conceptual void which provided almost unlimited scope for flight of imagination ending up with such odd formulations as the "Rogue States" and "Axis of Evil". More precisely, the thesis of Clash of Civilization seems pertinent in the present global politics. The Operation Iraqi Freedom seems very much part of this exercise. The concepts such as Rogue States, States of Concern and Axis of Evils had been conceived to justify and legitimize the US post-Cold War armed forces posture. What lesson will North Korean or Iranian leaders draw from the Iraq war: should they curtail their nuclear ambitions, or speed them up? The answer seems not affirmative.

The Iraqi situation in the post US victory proves that the military intervention to curb the proliferation of weapons of mass destruction seems not a rational choice. If inspections had been given a chance to work and Saddam had been disarmed without war, it would have been seen as a tremendous victory for the US non-proliferation policy and world's enforcement of the

¹⁶⁶ According to the Senate Committee on Intelligence findings, the intelligence community knew as early as October 2002 that the document on which the claim that Iraq had tried to acquire uranium from Africa was based on a forgery. The State Department's Bureau of Intelligence and Research and the Department of Energy registered their strong objection to the claim in the October 2002 National Intelligence Estimate that Iraq had obtained aluminum tubes for the purpose of enriching uranium, but the president and his advisors failed to heed these clear warnings that the worst-case assessments were wrong. See "Senate Intelligence Committee Report Overlooks Handling of Iraq Intelligence and UN Inspectors' Findings", 9 July 2004, <http://www.armscontrol.org/pressroom/2004/20040709_SenateIntel.asp>. Accessed on October 6, 2004.

¹⁶⁷ Since the success of the Desert Storm military operation in 1991 against Iraq, the Iraqi nuclear facilities have been open for inspection by the international community. This inspection process has rolled back Iraq's potential for weapons of mass destruction.

international WMD related treaties. Operation Iraqi Freedom seems, simply, Bush's War, a highly personal vendetta and exercise in raw power. Worse, to justify war, the Bush administration ridicules inspections, thus undercutting future applications in Iran or North Korea. But the impact may be more immediate. If the war against terrorism destabilizes such states, then the weapons, materials or scientists may flow to other nations or terrorist groups. For example, Iraqi military officers or scientist, fearing war crime trials, might have fled before or during the war carrying their knowledge or even weapons with them to other nations or groups.

Muslim World: Increase in Internal and External Challenges

The cost of occupying Iraq for the US has turned out to be far higher than it was estimated. The widespread unpopularity of Operation Iraqi Freedom, especially among Muslims, had weakened the willingness of key countries to share intelligence information and other resources so vital to winning the war on terrorism. Frankly speaking, it gives rise to skepticism among the Muslims. The toppling of Saddam Hussain's regime is considered in the Muslim states a great security advantage to Israel. Tel Aviv does not need to worry any more about WMD threats from Baghdad. "In addition, the decisive American military action sent an unmistakable message to a would-be proliferator (i.e., Iran) that the US will not tolerate a new nuclear power in the Middle East", opined Gawdat Bahgat.¹⁶⁸ Importantly, the Iranian officials categorically denied any interest in or possession of WMD. Israel and the US, however, believe that Iran has a large stockpile of chemical and biological weapons as well as an active program to manufacture nuclear weapons. Therefore, the US and its allies have been expressing serious concerns over the Iran's nuclear program.

Though Pakistan is an ally of the US in its war on terrorism, but it is also victim of US non-proliferation agenda. The ongoing international nuclear debate manifests that the US led Western states' earnest desire is to eliminate or eradicate Pakistan's nuclear weapons potential. Therefore, they have adopted discriminatory anti nuclear policies against Pakistan. These states intellectuals, officials, electronic and print media have been always maligning Pakistan's nuclear program. They present hypothetical baseless worst scenarios, such as disintegration of Pakistan and falling of nuclear weapons in the hands of extremists or the change of President Pervaiz Musharraf government and excess of Al Qaeda's sympathizer to the nuclear weapons and finally transferring them to the terrorists, which they would use against the US and its allies.

Jonathan Medalia chalked out hypothetical scenarios about the nuclear crisis in Pakistan. He argued that Pakistan might be the source of nuclear weapons or materials for terrorists under several scenarios: (1) Islamists in the

¹⁶⁸ Gawdat Bahgat, op. cit., p. 434.

armed services might provide such assistance covertly under the current government; (2) if the present government was overthrown by fundamentalists, the new government might make weapons available to terrorists; or (3) such weapons might become available if chaos, rather than a government, followed the overthrow.¹⁶⁹ Are these assertions based on the empirical research? What is reality in these arguments? The answer is simple that their findings lack reality. These fictions are biased and baseless. For instance, since the invention of nuclear weapons the nuclear Mafia has been operating, and one cannot find a serious action against the nuclear traffickers and their states of residence. Importantly, since they learnt about the involvement of Pakistani scientists in the nuclear black market, they have unleashed hostile propaganda against Pakistan. They deliberately ignore the Western members of the nuclear underworld network. The Washington-based Institute for Science and International Security concluded in its finding that there was a familial aspect to the underworld nuclear network. "Europeans who were involved in the 1970s or 1980s had sons that became involved with them in the 1990s," the report said.¹⁷⁰ It seems that if they investigate the Europeans, the secrets regarding the clandestine development of Israeli nuclear weapons program become public, which is not in the interest of the US.

The Government of Pakistan without hiding the secrets acted responsibly on the issue of nuclear underworld network. Knowing the probability of political backlash, President Pervez Musharraf initiated investigation against the scientists. According to the Pakistani official announcement the country's chief weapons scientist, Abdul Qadeer Khan, and his associates conducted the nuclear know how exchange without the approval and knowledge of the Government of Pakistan. President of Pakistan claimed in his news conference on 7 February 2004 that the civil and military bureaucracy was not a part of this illicit nuclear trafficking. Moreover, the chief of International Atomic Energy Agency, Muhammad El Baradei also stated, Dr. Khan was merely the "tip of the iceberg". His reference to the tip was meant to remind the international community that there exists a large underworld nuclear market, which is profitably cashing on the nations' desire to remove their sense of insecurity. Regrettably, these analysts ignore these realities and their entire focus is on maligning Pakistan. The bottom line of their arguments is complete, verifiable and irreversible dismantlement of Pakistan's nuclear program. This prejudiced approach generates problems for the Government of Pakistan and strengthens anti-American forces within the country.

¹⁶⁹ Jonathan Medalia, "Nuclear Terrorism: A Brief Review of Threats and Responses", *CRS Report for Congress RL 32595*, 22 September 2004.

¹⁷⁰ Anwar Iqbal, "Govt not involved with Khan network: report", *Dawn*, Islamabad, 13 October 2004.

The Iraq occupation has badly strained the capabilities of the US military. To maintain the adequate troop levels in Iraq, the US is asking (or pressurizing covertly) Pakistan and Turkey. The people in these countries are opposed to sending troops to the violence-torn Iraq. There are chances that internal political instability would start, if these states send their troops in Iraq. For example, on July 26, 2004, the Muttahida Majlis-i-Amal (MMA) president and parliamentary leader Qazi Hussain Ahmed warned the government of Pakistan against sending troops to Iraq and said there would be a nation-wide reaction against such a decision, particularly when the nation will face the tragedy of receiving coffins containing the bodies of its jawans.¹⁷¹ Similarly, Turkey is also in trouble. Gabriel Kolko argued, “Turkey’s problem was simple: the US pressured it, despite overwhelmingly anti-war Turkish public and political opinion, to allow American troops to invade Iraq from Turkey—in effect, to enter the war on its side.”¹⁷² In brief, the overwhelming Turks majority believes that Ankara ought to stay out of the Iraq war.

Conclusion

The international law protects the sovereignty of disagreeable regimes. Operation Iraqi Freedom has raised ethical and legal questions about a preemptive military strike. It lacks international institutional (UN) legitimization. Is this legal? The United Nations Charter, following Just War theory permits a country to defend itself, but only in the event of an armed attack and only as a last resort. Therefore, the Bush administration is accused of having waged an aggressive war against Iraq, exactly the same crime of which Iraq was accused in 1990 following the invasion and occupation of Kuwait.

The declared objectives of Operation Iraqi Freedom were to curb proliferation of WMD and to free the Iraqis from the brutal rule of Saddam Hussain. Nevertheless, an end to Iraqis agony appears to be nowhere in sight. The popular uprising going on in Iraq against the US and its allies. The focus of insurgency may shift - from Basra to Baghdad or from Najaf to Fallujah and back to Najaf - but violence seems to have become endemic. Moreover, the government led by Prime Minister Ayad Alawi has no control over large parts of Iraq, because it is seen as America's collaborator. In August 2004, the threat to the Imam Ali Mosque in Najaf and a further loss of life were averted because Grand Ayatollah Ali Sistani managed to enter the holy city after negotiating a withdrawal by the Mehdi army while the US-led forces waited outside. This proves that the pro US non-elected Alawi government lacks potential to create stability in Iraq.

¹⁷¹ “Qazi warns govt over troops for Iraq”, *Dawn* Islamabad, 27 July 2004.

¹⁷² Gabriel Kolko, “Iraq, the United States, and the End of the European Coalition”, *Journal of Contemporary Asia*, vol. 33, no. 3, 2003, p. 296.

Operation Iraqi Freedom manifests that military power still remains the currency in the global politics. The security doctrine of the US indicates that nuclear weapons occupy an important place in its war strategies. Similarly, other nuclear weapon states give great importance to their nuclear arsenals in their strategies. Therefore, the proliferation of nuclear weapons is inevitable. Realistically, as long as some states possess nuclear weapons or are protected by them in alliances and others do not, this asymmetry breeds chronic global insecurity. The underdogs always try to alter the status quo. Moreover, it seems that terrorists might acquire nuclear weapons besides chemical and biological weapons. Admittedly, it would be difficult for terrorists to attack a US city using nuclear weapons, but such an attack is plausible and would have catastrophic consequences. This sort of situation warrants new creative thinking for curbing the proliferation of WMD. Whereas, the US approach towards the present non-proliferation regime not only discredits it, but also increases the chances of nuclear weapons proliferation. This entails that the US would reconsider its current nuclear postures, practices and priorities, so that the idea of global nuclear security would be contemplated.

In sum, the US has been relying on a state-centric strategy to tackle an essentially non-state phenomenon. Despite it, the war in Afghanistan struck a severe blow to terrorism but the war in Iraq may have reinvigorated them. The bombing in the UN Head Quarters, resistance and suicidal attacks, kidnapping of foreign nationals, etc in Iraq are the evidences that America had taken a country that was not a victim of terrorism and turned it into one. The Bush Administration's desire to proclaim mission accomplished rather quickly might actually have prolonged the war against terrorism. It seems that war against Iraq was a distraction from, not a victory in, the war on terrorism. This necessitates the need for a creative thinking about how to confront the growing terrorist backlash that has been unleashed. The US, being the world's predominant military, economic, and political power and above all the primary terrorists target, should take the lead in fashioning a forward-looking strategy. In short, instead of unilateralist approach, the US takes into consideration a collective approach—by international accords and bodies such as the UN—for combating terrorism and proliferation of weapons of mass destruction. ■

THE POLITICS OF NUCLEAR NON-PROLIFERATION WITH PARTICULAR REFERENCE TO SOUTH ASIA

Zulfqar Khan*

General Background

Since the start of the nuclear age, the spread of nuclear weapons to the Non-Nuclear Weapon States (NNWS) was termed 'horizontal proliferation'. While the expansion of the nuclear arsenals of the five *de jure* Nuclear Weapon States (NWS) was classified as 'vertical proliferation'.¹ This awareness and the increasing threat to international peace and security had led to the establishment of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) on July 1, 1968. The Treaty came into force in 1970 for the initial period of 25 years. It had three primary objectives:

1. *Non-proliferation.* It intended to debar the NNWS from acquiring nuclear weapons, and provision of safeguard regimes under the International Atomic Energy Agency (IAEA).
2. *Nuclear Disarmament.* The *de jure* NWS had promised to follow a nuclear disarmament policy under Article VI of the Treaty in a bid to realise the goal of general and complement disarmament.
3. *Nuclear cooperation for peaceful objectives.* The NPT realised the significance of peaceful uses of nuclear energy for the NNWS.²

The NPT had created two sets of states: five *de jure* NWS -- who had tested their nuclear weapons before the cut-off date of January 1, 1967; and the NNWS -- who could not test their nuclear capabilities before the cut-off date. After the lapse of twenty-five years period, the NPT member states had to decide -- "by a majority of the parties to the Treaty... whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods."³ Therefore, in 1995, the NPT Review and Extension Conference without a majority vote made the Treaty permanent.⁴ In addition, attached a resolution outlining the "principles and objectives" to assess the progress and

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¹ Jozef Goldblat, *ARMS CONTROL: The New Guide To Negotiations And Agreements* (London: SAGE Publications Ltd., 2002), p. 101.

² *Ibid.*, pp. 101-107.

³ It was required under the Article X.2 of the Treaty, see *Ibid.* p. 107.

⁴ *Ibid.*

expansion of nuclear disarmament and non-proliferation.⁵ But, in 1998, the Indian and Pakistani nuclear tests, both premised on the rationale of security, regional instability, and their nuclear aspirations, posed a new problem for the Treaty to tackle its primary objectives: non-proliferation and nuclear disarmament. The then Indian Prime Minister, Atal Behari Vajpayee, in a letter addressed to then US President Clinton, had cited the threat of China to justify India's nuclear tests of May 1998.⁶ Now, the NPT had to confront the challenge of legitimising or de-legitimising the overt nuclear weapons status of India and Pakistan. On the other hand, the NWS continued to defy the Article VI that called for complete nuclear disarmament. Moreover, since 9/11, the United States shifted its policy of non-proliferation - that was enshrined in the NPT, to counter-proliferation by conceiving the "pre-emptive attack as a new element in America's strategic" planning.⁷

⁵ A. L. Duncan, 'The Nuclear Non-Proliferation Treaty: The 1995 Review And Extension Conference, in Rudolf Avenhaus (et. al. Eds.) *Containing The Atom* (Lanham, Maryland: Lexington Book, 2002), p. 163.

⁶ George Perkovich, *India's Nuclear Bomb: The Impact On Global Proliferation* (Los Angeles: University of California Press, 1999), p. 419. India's Defence Minister, George Fernandes, including experts and government officials had publicly claimed that India required a credible nuclear deterrent vis-à-vis China; see 'Fernandes For Maintaining Parity With China', *Times Of India* (New Delhi), 10 October 2000. In addition, the Indian Ministry of Defence's 2000-2001 annual report also emphasised, "The asymmetry in terms of nuclear forces is strongly in favour of China, which additionally has helped Pakistan to build missile and nuclear capability", Ashwani Talwar, 'Defence Ministry Beats Less Around The Bush', *Times Of India* (New Delhi), 31 May 1998.

⁷ Daniel Moran has opposed the pre-emptive strategy of the US, 'Deterrence And Pre-emption', *Strategic Insight*, (7 October 2002), www.ccc.com, p. 3. However, according to an exponent of pre-emptive doctrine, Barry Zellen, "Pre-emption thus became America's strategy by default, and to formalize our strategic shift, America put forth its new doctrine of pre-emption in *The National Security Strategy of the United States of America*, issued by the White House in September 2002.... Once again, it is the threat of us using nuclear weapons first, in an act of pre-emption, and to bring the war to the enemy — nuclear war, not just conventional — in order to rid the world of a future nuclear threat, that gives us the credibility to make deterrence work.... if we are prepared to use our nuclear weapons to take out emerging nuclear arsenals from rogue states, perhaps they will not bother pursuing such programs in the first place?" See Barry Zellen, 'Rethinking The Unthinkable: Nuclear Weapons And The War On Terror', *Strategic Insight*, vol. III, no. 1 (January 2004), www.ccc.com, pp. 1 and 7. Zeev Maoz, a Professor at Tel Aviv University, writes that Israel's nuclear policy is based on three principles. "First, Israel's acquisition of a significant nuclear capability occurred over a relatively long period of time. Second, its policy of nuclear ambiguity has been balanced and sound, enabling Israel to develop a nuclear arsenal while maintaining close relations with the United States and other countries committed to nuclear non-proliferation. Third, and most important, Israel's decision to build a nuclear capability while publicly adhering to a policy of nuclear ambiguity has proven effective, perhaps exceeding even the

The Post-Cold War Period

It would be appropriate to comment on the threat of proliferation of nuclear, biological, chemical and radiological weapons technologies since the demise of the Cold War.⁸ The fact remains that in spite of the end of the Cold War, according to Robert McNamara and Helen Caldicott, both Russia and US still possessed “96 per cent of the global nuclear arsenal of 30,000 nuclear weapons.”⁹ In addition, in 2001, the US conceived a *Nuclear Posture Review* programme to develop the thermonuclear gravity weapons systems to penetrate and destroy underneath the earth nuclear bunkers and tunnel complexes.¹⁰ Besides, the US National Strategy to Combat Weapons of Mass Destruction (NSCWMD) was conceived in February 2003. The NSCWMD outlines a new strategy for US homeland security, and a fundamental diversion from the traditional concept of deterrence with a view to combat the WMD threat. The Bush Administration spelt-out that, its enemies were seeking the WMD, and that the NSCWMD would proactively bolster, interdiction-oriented approach to reduce the WMD threats. *Prima facie*, the document plans to target the non-state actors and ‘rogue states’ like Iran, North Korea, Syria, and Libya. However, it also did not rule out action against the other states as well. This strategy is apparently premised on three-linked instruments: counter-proliferation, non-

expectations of the country’s founders.” See Zeev Maoz, ‘The Mixed Blessing of Israel’s Nuclear Policy’, *International Security*, vol. 28, no. 2 (Fall 2003), p. 44.

⁸ Joseph Cirincione et al. *The Deadly Arsenal: Tracking Weapons Of Mass Destruction* (Washington DC: Carnegie Endowment for International Peace, 2002), pp. 5-6.

⁹ Robert McNamara and Helen Caldicott, ‘Nuke Threat Stays’, *The News* (Rawalpindi), May 3, 2004. According to Joseph Cirincione et. al., Russia possessed 20,000, US 10,500, China 410, France 350, the United Kingdom 185, Israel 60-100, India 10, and Pakistan 10 nuclear weapons; see Joseph Cirincione et. al., op. cit., p. 8. But, according to the *Federation of American Scientists* and the *Stockholm International Peace Research Institute*, Israel possessed “at least 200 nuclear warheads;” see Craig Nelson, ‘Israel Answers To No One On Nuclear Weapons’, *The Atlanta Journal Constitution* (18 January 2004). Moreover, the former Russian Secretary for National Security, General Alexander Lebed, during his visit to US in 1997 had confessed that 132 “radiological dispersion devices” and “suitcase bombs” were missing from their inventory, see Bharat Karnad, ‘After Pak, India’, *The Asian Age* (New Delhi), 21 April 2004. According to Graham Allison, there is sufficient plutonium and highly enriched uranium to manufacture more than 240,000 nuclear weapons; see Graham Allison, ‘How To Stop Nuclear Terror’, *Foreign Affairs* (January/February 2004), p. 66.

¹⁰ Joseph Cirincione et al., wrote that US plans to deploy 1,700-2,200 strategic weapons by 2012. In addition, “to maintain thousands of deployed nuclear weapons in a triad of bombers, submarines, and land-based missiles for the indefinite future.... The Nuclear Posture Review also calls for steps that makes the use of nuclear weapons by the United States more likely, even in response to non-nuclear threats or attacks.” See Joseph Cirincione et. al., op. cit. pp. 176-178.

proliferation, and WMD consequence management.¹¹ The US policymakers, including its experts and the neo-conservative elements has defended this strategy. It plans to pre-empt attack as a new element in America's strategic planning to neutralise terrorist organisations' designs, writes Daniel Moran of the US Naval Postgraduate School, Department of Defense.¹²

In April 1995, the NPT Review and Extension Conference was convened, which in May indefinitely extended the Treaty without a vote.¹³ The most important article of the Treaty — Article VI related to cessation of the nuclear arms race “at an early date” with a view to effect general and complete nuclear disarmament, was not adequately settled. The NPT's clause envisaging nuclear disarmament has since generated a lot of controversy between the NWS and the NNWS. However, in spite of controversy between the NWS and the NNWS over the rights and the obligations, the majority of the states have since signed and ratified the NPT, except by India, Israel, and Pakistan. Moreover, in 1998, both India and Pakistan conducted nuclear tests, and became declared NWS. Both countries had cited the geostrategic and security reasons to rationalise their nuclear tests. Pakistan had cited India as the threat to justify its nuclear tests in response to the Indian overt declaration of nuclear weapons capability. On the other hand, earlier India had portrayed China as the threat to rationalise its testing. A leading expert of the security affairs, John H. Herz, writes that the “feeling of insecurity, deriving from mutual suspicion and mutual fear, compels” the states to “compete for ever more power in order to find more security.”¹⁴ This is a fair description of states' motivation to acquire

¹¹ The NSCWMD conceives for the “US military forces and appropriate civilian agencies must have the capability to defend against WMD-armed adversaries, including in appropriate case through pre-emptive measures. This requires capabilities to detect and destroy an adversary's WMD assets before these weapons are used.” See David Krieger and Devon Chaffee, ‘Facing The Failures Of The Nuclear Non-Proliferation Treaty Regime’, <http://wagingpeace.org/articles/03.0423chaffee_npt.htm> (Accessed on October 10, 2003), pp. 2-3.

¹² See Daniel Moran, op. cit.

¹³ According to David Krieger and Devon Chaffee, “Each year the future of the Nuclear Non-proliferation Treaty (NPT) regime becomes more uncertain.... North Korea has become the first country ever to withdraw from the treaty. There has been virtually no progress and considerable regression on the thirteen practical steps for nuclear disarmament agreed to at the 2000 NPT Review Conference. The doctrine of pre-emption, pursued by the United States and adopted by other states with nuclear weapons, threatens to accelerate nuclear weapons proliferation in the face of the threat of aggressive use of force.” David Krieger and Devon Chaffee, op. cit. p. 1.

¹⁴ Johan H. Herz, ‘The Security Dilemma In The Atomic Age’, in Phil Williams (et. al. Eds.), *Classic Readings Of International Relations* (Orlando, FL.: Harcourt Brace College Publishers, 1999), p. 234. Joseph Cirincione et al. commenting about the motivating force behind the Indian, Pakistani and Israeli nuclearisation wrote, “Israel's nuclear program was developed in direct response to its insecurity vis-à-vis Arab neighbors.

nuclear potentials for security purposes.¹⁵

South Asia and the Nuclear Disarmament Issue

Though, Pakistan is not formally committed to the Treaty, but it has consistently reiterated its resolve not to transfer nuclear weapons-related technology to other countries. Pakistan's record of accomplishment concerning the proliferation issue has been quite consistent and in line with its larger national strategic objectives. Pakistan signed the PTBT (1963 Partial Test Ban Treaty), BWC (1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction), Enmod Convention (1977 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques), and the CWC (1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction) in 1988, 1974, 1986, and 1997 respectively. While, President of Pakistan Pervez Musharraf as late as May 4, 2003, stated that South Asia could be bilaterally denuclearised by India and Pakistan, provided if the Kashmir dispute is resolved. He further reiterated, "if there is no problem to our security, Pakistan and India can move to mutual reduction of forces and have a no-war pact." In response, Indian Prime Minister Vajpayee addressing the Lok Sabha on May 8, 2003 rejected the Pakistani proposal of nuclear disarmament of South Asia. He remarked that: "Pakistan's nuclear programme is India-specific, but our own nuclear programme goes beyond that. Our concern is about other nations as well", which of course was a reference to the five *de jure* NWS. On the other hand, India's Defence Minister, George Fernandes, addressing the National Defence University of Beijing in April 22, 2003, also remarked that the international community on the basis of the NPT's Article VI should tackle the nuclear disarmament issue. He also urged the *de jure* NWS to announce a timeframe for a general and complete nuclear disarmament. This is clearly a reiteration of India's traditional stance on the NPT calling for the universal nuclear disarmament. Moreover, according to hindsight, New Delhi consistently endeavoured to develop and deploy a robust strategic force with a view to realise its strategic objectives.

Lately, the issue of proliferation has surfaced about the alleged nuclear weapons oriented programmes of North Korea, Libya, and Iran. The nuclear

Pakistan's program was driven by similar concerns about. India's decision is more complex, but perceived threats from China and Pakistan played an important role.... Efforts to reverse nuclear proliferation in the Middle East and South Asia, therefore, are directly tied to regional security and political dynamics;" Joseph Cirincione et al., *op. cit.*, p. 189.

¹⁵ For the study of motivation of states to acquire nuclear weapons, see Peter R. Lavoy, 'Predicting Nuclear Proliferation: A Declassified Documentary Record', *Strategic Insight*, vol. III, Issue 1 (January 2004), www.ccc.com.

controversy on the Korean Peninsula has led to withdrawal of North Korea from the NPT on January 10, 2003. While the IAEA in its report of August 26, 2003, concerning Iran's nuclear programme did not accuse any specific country of transferring nuclear-related materials and centrifuges to Tehran. However, the Western mass media and US took it for granted that the country that was allegedly transferring nuclear technology to Iran, North Korea, and Libya, was only Pakistan. This was obviously with intent to protect the actual sources of proliferation – the European countries, which also probably had sold materials and centrifuge technology to Iran, Libya, North Korea, and to other countries.

Pakistan's nuclear programme was principally influenced by security considerations. Pakistan had indigenously built its nuclear capability to neutralise its conventional asymmetry vis-à-vis India, and not to transfer nuclear technology to other states. Hence, the proliferation of nuclear technologies, that too to the 'axis of evil' states like Iran and North Korea, is obviously not the policy objective of Pakistan. Rather, it is against the national interests of Pakistan. Pakistan's nuclear policy is inherently security-centric with the perception of a dominant security threat emanating from India's conventional and nuclear programmes. Pakistan's nuclear potential is fundamentally designed to erect a credible minimum deterrent against aggression and to safeguard the country's independence and sovereignty; and, not to use nuclear weapons, or to threaten to employ them, against any NNWS.

South Asia And Non-Proliferation

Since 1974, Pakistan has been consistently offering India different proposals to establish a nuclear restraint regime in South Asia, if not to completely realise the goal of nuclear disarmament. This vindicates Islamabad's non-proliferation credentials. The delicate conventional balance between India and Pakistan received a serious setback in May 1974, when India conducted its first nuclear test. John Herz writes, "If mutual suspicion and the security dilemma thus constitute the basic underlying condition in a system of separate, independent power units, one would assume that history must consist of one continual race for power and armaments, an unadulterated rush into unending wars, indeed, a chain of 'preventive wars'."¹⁶ This is probably true for the South Asian situation where "serious misperceptions...miscalculations" are quite high.¹⁷ Because, since 1974, different Pakistani governments had floated the idea of the establishment of a Nuclear Weapon Free Zone (NWFZ). India not only opposed these proposals but also even refused to talk to Pakistan on the subject. In addition to the NWFZ concept, Pakistan had also floated other

¹⁶ John H. Herz, op. cit., p. 236.

¹⁷ Robert Jervis, 'War And Misperception', in Phil Williams (et. al. Eds.), *Classic Readings Of International Relations* (Orlando, FL.: Harcourt Brace College Publishers, 1999), pp. 442-443.

proposals in various national and international platforms with a view to check the horizontal nuclear proliferation from India and Pakistan to the other NNWS. Some of these proposals were:

- Setting up of a NWFZ, in 1974. Pakistan repeated the NWFZ proposals to India in 1976, 1979, 1987, 1990, and May 4, 2003.
- Pakistan asked India to jointly sign the NPT; and bilateral/joint agreements to full-scope safeguards or inspections, in November-December 1984, June 1985, and July 1987. India rejected all these overtures and continued to call for a universal general and complete nuclear disarmament and non-discriminatory NPT.
- Renunciation of acquisition and development of nuclear weapons, in 1978.
- Accession by both India and Pakistan to the NPT, in 1979.
- Bilateral acceptance of full IAEA safeguards, in 1979.
- A mutual inspection of each other's nuclear facilities, in 1979.
- In 1981, Pakistan offered a No War Pact to India that was not accepted by New Delhi.
- Bilateral signing of a treaty banning all types of nuclear tests, in 1987.¹⁸
- Pakistan proposed to India to not manufacture and to explode nuclear weapons, in 1987 and 1991. India did not reply to Pakistan's proposals.
- Convening of a conference on the issue of nuclear non-proliferation in South Asia, which should be attended by Russia, USA, China, India and Pakistan, in June 1991.
- An idea of South Asian Zero-Missile Zone was again suggested in 1993.

Pakistan's Foreign Secretary, Riaz Khokhar, while addressing the United Nations Conference on Disarmament in Geneva on May 23, 2003, stated, "Pakistan's commitment to non-proliferation was a result of its own conviction and manifest in its actions." He further reiterated that Pakistan was stringently adhering to the BWC and CWC obligations, and was following the ideals of the NPT as well. Khokhar further added that the country's nuclear assets and technological expertise, including sensitive materials, equipment, technology and information, were under firm physical protection. Moreover, Khokhar claimed that: "With a blanket prohibition against any exports whatsoever, our exports controls go even beyond the standards of supplier

¹⁸ Niaz A. Naik, 'Towards A Nuclear-Safe South Asia', in Colonel David O. Smith (ed.), *From Containment To Stability: Pakistan-United States Relations In The Post-Cold War Era* (Washington DC: National Defence University, November 1993), pp. 45-46.

control regimes.” In addition, the Foreign Secretary outlined Pakistan’s willingness to formalise the confidence-building measures, including the moratorium on nuclear testing by both the countries, which were envisaged in the Memorandum of Understanding signed at Lahore in February 1999.

On April 28, 2004, the UNSC adopted Resolution 1540 to prevent the proliferation of WMD to the non-state actors and terrorist groups.¹⁹ Pakistan’s Ambassador to the UN, Munir Akram, during deliberations on the issue reiterated that,

Historically, the proliferation of WMD had occurred when states sought to obtain them. But non-state actors had often been the instruments used for proliferation by states seeking WMD. Recently, Pakistan had dismantled such a proliferation network involving its own nationals and others.... Pakistan, a nuclear weapon state, had established effective command and control of its assets, sites and materials.²⁰

The Pakistani envoy also rightly apprehended that the Resolution might overpower the national legislatures. “The concerns that arose from the resolution were with regard to the role of the Security Council, to the ability of the Security Council to legislate for other states, and the fear that the council wished to impose measures on states that they had not freely accepted.” Munir Akram had further dilated that Pakistan would “not accept any demand for access, much less inspections, of our nuclear and strategic assets, materials and facilities.”²¹

Pakistan’s Nuclear Non-Proliferation Policy

It would not be out of context to mention here the cardinal principles of Pakistan's nuclear policy. They are premised on the following rules:

- Deterrence against all forms of external aggression, which could otherwise jeopardise our national security interests.
- Deterrence to be achieved through the development and maintenance of an effective combination of conventional and strategic forces at adequate levels in accordance with the country's resources.
- Deter our adversaries from endeavouring a counter-force strategy against our strategic assets by effectively securing our strategic assets.

¹⁹ Peter Heinlein, ‘UN Security Council Adopts Resolution To Prevent WMD Transfer To Terrorists’, <http://www.payvand.com/news/04/apr/1191.html> (Accessed on 29 April 2004), p. 1.

²⁰ *UN Security Council Press Release SC/8070*, <http://www.un.org/News/Press/docs/2004/sc8070.doc.htm> (Accessed on 29 April 2004), p. 7.

²¹ *Ibid.*

- Bilateral stabilisation of strategic deterrence on the subcontinent.
- Pakistan as a matter of policy would not use or threaten to use nuclear weapons against any NNWS.
- Pakistan would continue to refrain from entering into any arms race.
- Pakistan would not transfer nuclear weapons or weapon-related material or technology to any other entities or states, which of course also include the Muslim states as well.
- Pakistan would endeavour to realise the ideal of a strategic restraint regime in co-operation with India, and adopt other nuclear risk reduction measures in the region.
- Pakistan would constantly support the international arms control and disarmament initiatives, if they were universal and non-discriminatory in character.

Furthermore, the command and control of nuclear forces of Pakistan is vested in the President, and it functions through a robust National Command Authority (NCA). The NCA is assisted in its functioning by the Strategic Plans Division as its Secretariat, and the other Strategic Commands within the Armed Forces to maintain a dynamic command and control system of its strategic forces. Therefore, the Government of Pakistan has not been involved in any proliferation activity and legally forbids transfer of any sensitive material or technology to any other state. Following factors need to be viewed objectively:

- Pakistan is a responsible nuclear weapon state; hence, it would not authorize proliferation in accordance with its national strategic interests.
- The general perception in some media reports that Dr. AQ Khan had proliferated with the knowledge of the Government of Pakistan is absolutely false and fabricated. The instances of proliferation had taken place on the direct orders and under supervision of Dr. A. Q. Khan.²² The proliferation had probably taken place from the late 1980s right until Dr. AQ Khan's retirement from the Khan Research Laboratories (KRL) in 2001. As Pakistan's Foreign Minister, Khurshid Mehmood Kasuri, while interacting with the delegates participating in the security conference in Munich on 8 February 2004, stated that, "I know the names. I don't want to spill them...names given to us by the IAEA (International Atomic Energy Agency), by Iran. There are

²² According to Craig S. Smith, "The Pakistani scientist Abdul Qadeer Khan has been demonised in the West for selling atomic secrets and equipment around the world,

lots of Europeans involved, but there seems to be a focus on Pakistan.... Yes our programme was covert. Because it was covert there was a danger of this sort of thing.”²³ It clearly indicates that the Western media had intentionally tried to implicate the state of Pakistan in nuclear proliferation scandal, which was beyond an iota of doubt was the individual act of few scientists working under Dr. AQ Khan, for personal gains. Surely, the state of Pakistan had no “interests” or “motives...none whatsoever”, as reiterated by Kasuri, to gain from such scandals.²⁴

- The “debriefing” and investigation sessions of the scientists were comprehensive, and so far, no evidence has surfaced which could substantiate that any civilian, military personality, or government institution or entity was ever involved or even indirectly associated with the proliferation.²⁵
- The Government of Pakistan and the NCA, in accordance with the law of the land, had decided the cases of the scientists and administrators who were investigated in this connection.²⁶

Recent Controversy about Nuclear Proliferation

Recently, the involvement of Dr. AQ Khan and his associates in the proliferation of nuclear technology to Iran, N. Korea, and Libya had surfaced. For their individual acts, all the scientists were thoroughly investigated, punished, and put under detention for further investigations.²⁷ On the other hand, it is on record that N. Korea, Russia, India, and other countries also had been providing scientists and nuclear technology to Iran. In spite of stringent measures against the scientists, Pakistan is still being exclusively focused as a proliferator. Secondly, it probably has an inherent design to deflect the attention away from the actual sources of proliferation.²⁸ Thirdly, to link

but the trade began in Europe, not Islamabad...”. See Craig S. Smith, ‘Roots Of Pakistan Atomic Scandal Traced To Europe’, *The New York Times*, 19 February 2004.

²³ Philip Blenkinsop, ‘Europeans Involved In Pakistan Nuke Scandals’, *The Reuters*, 8 February 2004.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.

²⁷ According to *Jane’s Islamic Affairs Analyst* of February 2004, “The bulk of Libya’s illicit supplies came from Asian and European countries and were shipped via the United Arab Emirates, with some consignments moving through additional countries.” See *Jane’s Islamic Affairs Analyst* (February 2004), <<http://www.jiaa.janes.com>>, p. 4.

²⁸ The Western countries had played a pioneering role in laying the foundation of the proliferation of nuclear weapons technology to the NNWS. In the beginning, the US and Canada had transferred nuclear weapons technology to the UK, France, Israel, India, and also to the former Soviet Union. The Soviets then transferred it to China, and probably it was also shifted to India as well. China had a nuclear

Pakistan's security-oriented nuclear programme with the religious alignment revolving around the so-called 'Islamic Bomb' theory of the 1970s, when Pakistan had started its nuclear weapons plan. Since the commencement of nuclear research in Pakistan, there has not been a single incident of proliferation of sensitive technology by the Government of Pakistan in spite of West's clamour and portrayal of Pakistan's nuclear programme with a religious bias.

The Iranian Foreign Minister, Kamal Kharazi, during his visit to Islamabad on 29 August 2003, categorically stated that Iran's nuclear programme was "totally indigenous and open to IAEA". He denied that Pakistan had ever established any nuclear collaboration with Iran.²⁹ However, Dr. AQ Khan and his associates were involved in proliferation activities in contravention to Government of Pakistan's non-proliferation policy. For this, they were thoroughly investigated, and subsequently Dr. Khan was unceremoniously removed from even from a ceremonious official position on 31 January 2004.

Pakistan had been consistently under economic and technological sanctions and consequently suffered a lot since India's nuclear test in 1974, and again after the tests of 1998. The following facts would further clarify Pakistan's position on the proliferation issue:

1. Strategically, it is not in the interest of Pakistan to create a nuclear competitor in its neighbourhood — in addition to India; especially a country like Iran that has a budding strategic cooperation with India.
2. Pakistan has no interest to create another Muslim country as a nuclear capable state in its neighbourhood.
3. Since the 1980s, Pakistan did not enjoy good diplomatic relations with Iran due to a variety of factors, including the Afghan situation. Therefore, existence of any nuclear cooperation was simply out of question. On the other hand, Iran had developed a wider ambit of cooperation with India and Russia, which have culminated into a trilateral strategic partnership. For that reason, transfer of sensitive technology or expertise to Iran was against the larger national interests of Pakistan.
4. Pakistan-Iran bilateral relations were also strained over the issues of trade route to the Central Asian States, sectarian incidents in Pakistan, and an expanding defence arrangement between India and Iran. In such a scenario, it would have been strategically

technology co-operation arrangement with Pakistan, of course under an elaborate safeguard mechanism. Subsequently, Israel had turned it into a joint venture with the former apartheid regime of South Africa. See Adnan Gill, 'Genesis Of Nuclear Proliferation', *Defence Journal* (April 2004), pp. 29-31.

²⁹ 'Pakistan, Iran Blast Nuclear Co-operation Accusation', *The AFP*, 29 August 2003.

impossible for Pakistan to forge a nuclear collaboration with Iran, which was clearly pursuing a policy unfavourable to the larger interests of Islamabad.

5. In addition to India, Russia is also assisting Iran in completing the Bushehr nuclear plant. Russia and India being strategic partners of Iran, rationally had a role in latter's nuclear programme.
6. More significantly, IAEA's report released to the Board of Governors on 26 August 2003 has indicated that the centrifuge design, which Iran may have used, was of European origin.³⁰ In the past, Iran had enjoyed friendly diplomatic ties with the EU (European Union) member states, and had access to their technology, which Tehran might have quite conveniently acquired.
7. Pakistan's enrichment technology design is not known to anyone, and it is merely a presumption that Islamabad had copied the URENCO (of Netherlands) design. Besides, why would Pakistan transfer and reveal its equipment along with design, which will surely lead to compromising of its vital security interests, including nuclear programme. Therefore, transferring of contaminated centrifuges with a weapons-grade uranium to another country would obviously:-
 - a. Disclose the degree of expertise acquired by Pakistan in this particular technology, which would certainly compromise its security and nuclear programme.
 - b. Pakistan has a much bigger nuclear competitor – India. Logically Pakistan would prefer to utilise all the available resources to sustain its credible minimum deterrence vis-à-vis New Delhi instead of transferring technology to the 'axis of evil' states.
 - c. Therefore, only countries with surplus supplies of fissile material would tend to transfer spares, or old centrifuges to non-nuclear weapon states like Iran and N. Korea.

³⁰ See Joby Warrick, 'Iran Admits Foreign Help On Nuclear Facility', *The Washington Post*, 17 August 2003. Incidentally, US Under-secretary of State, John Bolton, on 27 August 2003, left for Moscow with a view to prevail upon the Russian leadership to desist from assisting Tehran in developing nuclear and ballistic missiles programmes; see Peter Baker, 'Russia Turns From Old Allies To US', *The Washington Post*, 27 August 2003.

- d. The URENCO design is an old one, which is also known to many other EU states. These EU countries would have quite conveniently transferred the centrifuges to Iran or N. Korea, while continuing the spate of propaganda against Pakistan.³¹

Different reports appearing in the international media are consistently alleging that Iran probably had acquired the design plans for its centrifuge in 1987 from Pakistan, when the latter had just crossed the nuclear Rubicon. Logically there was no question of Pakistan supplying the uranium-enrichment technology to another country at that critical juncture when it was already under strict sanctions from the US. In addition, at that time, Pakistan had not yet acquired a sufficient expertise even to make its own nuclear programme fully functional.

Following statements of the Pakistani, North Korean, Iranian, and US leadership regarding the alleged transfer of nuclear technology, would further explain Pakistan's non-proliferation policy:

- President Pervez Musharraf on 18 October 2002 reiterated: "Pakistan has categorically stated time and again that Islamabad does not believe in proliferation of nuclear technology and it continues to firmly stand by this commitment."
- President Pervez Musharraf (12 January 2003) in an interview to a Dubai-based Arabic television channel MBC said: "I guarantee 400 percent that nothing has taken place between North Korea and Pakistan. No transfer of nuclear technology to North Korea has taken place in the past and it will not happen in the future."
- Foreign Office spokesman, Aziz Ahmed Khan, in news briefing on 30 December 2002 said, "Pakistan's record as far as safety of our nuclear programme and transfer of technology is concerned- is totally impeccable." He said this while answering a question about a news report in the Japanese media was alleging that Pakistan had transferred nuclear material in a coffin to N. Korea.

The North Korean and Pakistani leadership, including some eminent analysts have also made several statements concerning the alleged transfer of centrifuge technology by Pakistan to Pyongyang: -

- The Embassy of North Korea, New Delhi, in a statement on 5 December 2002, denied any nuclear and ballistic weapons

³¹ On 14 May 2004, the US asked N. Korea about claims that Pakistan had given the North uranium enrichment technology, said Pak Myong Kuk, a member of the North's delegation. "Such information is false", Pak said. "As we have said before, there were only missile deals between us and Pakistan", see 'North Korea Denies Any Nuclear Deal With Pakistan', *Daily Times* (Lahore), 15 May 2004.

cooperation with Pakistan. The statement further said: “such reports could greatly effect friendly relations between North Korea and India on the so-called nuclear and missile cooperation between Pakistan and North Korea.”

- Foreign Office spokesman Aziz Ahmed Khan denying the alleged Pakistan-North Korean nuclear connection on 14 November 2002, said: “It is totally baseless, fictitious and tendentious.”
- The Editor of the Jane’s Intelligence Digest, Eric Margolis, in a CNN programme on 25 January 2003, said: “The reports regarding trading of nuclear technology between Pakistan and North Korea are incredible and biased. I have followed this nuclear story for a long time. I find the story not credible. I have seen no evidence of Pakistan sharing its nuclear technology with North Korea.” Asked if it had ever happened in the past, he said, “No I do not believe it ever did.”
- Foreign Minister Khursheed Mehmood Kasuri in a statement on 20 January 2003 termed the alleged Pakistan’s nuclear technology transfer to North Korea as “utter rubbish and totally without foundation.” Even Prime Minister Jamali said, “Pakistan at no cost would allow irresponsible scientists to run its nuclear programme.”³²

Following statements in connection with Pakistan’s alleged transfer of nuclear-related technology and materials in contravention to the non-proliferation principles, were issued by the US and the UK officials as well:

- On 26 November 2002, the US Secretary of State, Colin Powell, said that he had “no new information to suggest that Pakistan was still helping Pyongyang build its nuclear programme.” Powell also reiterated that he has been “assured by President Musharraf on more than one occasion that there were no contacts between the two countries.”
- US Assistant Secretary of State, Christina Rocca, after meeting President Pervez Musharraf on 16 December 2002, said: “Pakistan is not helping North Korea in its nuclear programme.”
- On 13 November 2002, a senior US official in a statement to the press said, “The US administration had no conclusive proof of Pakistan’s involvement with North Korea.” He further stated, “North Korea could have acquired its expertise and material from

³² John Lancaster and Kamran Khan, ‘Pakistan Fires Top Scientist’, *The Washington Post*, 31 January 2004.

other sources and left open the possibility that the culprit might be Pakistani individuals or entities rather than the Government itself.”

- On 7 April 2004, the UK State Minister for Foreign and Commonwealth Office, Baroness Symons of Vernham Dean, informed the House of Lords that, “There is no proof that President Pervez Musharraf allowed those things to happen. He says that he was ignorant of what was going on. Dr. AQ Khan has also said the government did not know what was going on.”³³
- On 30 March 2004, US Undersecretary of State, John Bolton, in a statement before the Congressional hearing stated that President Musharraf and other government officials were not “complicit in or approved of (Dr. Khan’s) proliferation activities.”³⁴
- On 28 March 2004, US Defense Secretary, Donald Rumsfeld, stated that, “I do not believe that there’s any evidence or any suggestion that President Musharraf was involved” in the proliferation activities.³⁵

International Dimension of Proliferation

Iran was under intense pressure from the IAEA’s 35-nation Governing Board, which on 12 September 2003 issued a deadline for Tehran to clarify its position by 31 October 2003.³⁶ The IAEA had asked Iran to declare that it was not secretly developing nuclear weapons programme in violation of the NPT, to which it is one of the signatories. Interestingly, IAEA had adopted this resolution without a vote, which is an “unusual” procedure in the IAEA - the agency’s spokeswoman, Melissa Fleming, also confessed in a statement on 12 September 2003. Earlier, Iran had expressed its willingness to sign the Additional Protocol of the NPT, which it signed in December 2003 that would permit the IAEA to carry out unannounced intrusive inspections of Iran’s nuclear facilities.

India had close nuclear cooperation with Iran, but remained ambivalent and even during the governing board’s deliberations over Iran’s alleged nuclear weapons plan, India took a middle course. The adoption of 12 September 2003, resolution had saved India’s close strategic partnership with Iran, which otherwise would have seriously undermined New Delhi’s ties with the West, the US and Israel.

US believes that Iran has a secret weapons programme and has breached the UN Safeguards Agreement, which is an essential part of the

³³ ‘Pakistan Not Involved In N-Proliferation: UK’, *Daily Times* (Lahore), 8 April 2004.

³⁴ ‘Musharraf Knew Of Qadeer’s Activities In 2001: Bolton’, *Daily Times* (Lahore), 1 April 2004.

³⁵ ‘No N-Leak By Musharraf: Rumsfeld’, *Daily Times* (Lahore), 29 March 2004.

³⁶ ‘Questions About Iran’s Nuclear Programme’, *The Reuters*, 19 September 2003.

NPT.³⁷ On the other hand, Israel has a strategic interest in preventing Iran from materialising its alleged nuclear weapons programme with the cooperation of other countries, including India and Russia. For that reason, during Israeli Prime Minister Ariel Sharon's visit to India in 2003, reportedly conveyed Israel's reservations concerning the Indo-Iranian nuclear and strategic cooperation, including the exchange of expertise relating to other sensitive technologies. This, in Tel Aviv's perspective was a threat to its security. This further authenticates the involvement of India in the Iranian nuclear programme.

The US Under-secretary of State, John Bolton, on 17 September 2003, called on his Russian counterpart in Moscow, with a view to urge Russia to dump the \$800 million Bushehr nuclear power plant.³⁸ This was otherwise emerging as an irritant in bilateral relations of the two countries. However, reportedly, the Russian had maintained that it was formalising a protocol with Iran for the return of spent reactor fuel in a bid to ensure that spent fuel is not misused by Tehran. Apparently, the different reports appearing in the media suggest that Russia was not forthcoming regarding its support to any US-sponsored resolution at the UNSC, if this issue is ever raised by the IAEA.

Criminalisation of Nuclear Proliferation

The US President, George Bush, on 31 May 2003, in an address at the Wawel Royal Castle in Krakow (Poland) before the G-8 Summit launched the Proliferation Security Initiative (PSI).³⁹ Apparently, the PSI scheme is in line with the US NSCWMD. It intended to tackle the global proliferation problem by allowing ships, aircraft, and vehicles suspected of carrying WMD-related technologies, materials to and from states of "proliferation concern" to be thoroughly searched and detained as soon as they enter member states' territory, territorial waters, or airspace.⁴⁰ Iran, North Korea, Syria, Libya, Cuba, and Sudan (and the non-state actors and the terrorists groups) have been identified as the states of concern due to their alleged proliferation activities.⁴¹ However, in fact, PSI mandate is much broader and is not exclusively targeted against one or two countries. Proliferation Security Initiative's emphasis would be on the countries that are key flag, coastal or transit states, as well as states that are used by proliferators in their WMD and missile trafficking purposes.

³⁷ 'US Says Iran Nuke Program Should Go To UN If IAEA Demands Are Not Met', *The AFP*, 29 September 2003.

³⁸ 'US Still Hopes To Talk Russia Round On Iran Nukes', *The Reuters*, 18 September 2003.

³⁹ Rebecca Weiner, 'Proliferation Security Initiative To Stem Flow Of WMD Materiel', *CNS, Monterey Institute Of International Studies*, <<http://cns.miis.edu/pubs/week/030716.htm>> (Accessed on 19 October 2003), p.1.

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

The PSI member states include USA, the UK, Australia, France, Germany, Italy, Japan, the Netherlands, Poland, Portugal, and Spain. It plans to be primarily based on the “inventive use of national laws” instead of endeavouring to re-write the existing International Law, which strictly prohibits interception of vessels on the high seas or grounding aircraft in international airspace.⁴² In other words, apparently it would be a parallel regime to the NPT, and beyond the purview of the existing International Law. China and Russia have also expressed their reservations concerning Proliferation Security Initiative’s spirit in apparent contravention to International Law, which obviously required reconciliation - if ever PSI is destined to achieve its objectives and wider acceptance by the NNWS. For instance, after India’s 1974 nuclear detonation, the developed countries had set up scores of informal regimes. These included the 1977 Nuclear Suppliers Group (NSG) (also called ‘London Club’), and other multilateral weapon and technology export control regimes like the Zangger Committee, Australia Group, MTCR (Missile Technology Control Regime), and Wassenaar Arrangement, which outlines that the suppliers must exercise control over the transfer of ‘trigger list’ items to the NNWS. But, since 9/11, the G-8 countries have again initiated a multilateral regime – PSI, to implement the Statement of Interdiction Principles (IP), which was evolved in the Paris summit of September 2003. The IP, in US perspective would lead to development of a system to “work together within domestic and International Law to enhance and expand efforts to prevent the flow of weapons of mass destruction, missiles and related technologies to and from countries of concern” reiterated the US State Department’s spokesman on 2 September 2003.⁴³

After President Bush’s speech of 11 February 2004, concerning the proliferation of WMD,⁴⁴ the IAEA’s Director-General, Dr. Mohammad El Baradei, in an article published in *The New York Times* on 12 February too endorsed US non-proliferation policy. He stated that “the Nuclear Non-Proliferation Treaty, which has served us well since 1970, must be tailored to fit 21st century realities. Without threatening national sovereignty, we can toughen the Non-Proliferation regime. The first step is to tighten controls over the

⁴² Ibid.

⁴³ ‘Non-proliferation Initiative Talks Held In Paris’, *Press Release: US Department of State* of 2 September 2003, <<http://www.scoop.co.nz/mason/stories/WO0309/S00064.htm>> (Accessed on 19 October 2003), p. 2.

⁴⁴ Peter Slevin, ‘Bush To Outline Plan For Limiting Nuclear Arms: Curbs On Legal Materials Could Stir Controversy’, *The Washington Post*, 11 February 2004; and David E. Sanger, ‘Bush Seeks To Curb Number Of Nations Making Nuclear Fuel’, *The International Herald Tribune*, 11 February 2004.

export of nuclear material, a priority President Bush identified yesterday in his speech on nuclear non-proliferation.”⁴⁵

President Bush in his speech had categorically stated that the US intends to expand the orbit of PSI, which includes “*direct action against proliferation networks.*” Most significantly, Bush had also expressed his plan to follow the proliferation issue through the UNSC “resolution requiring all states to criminalise” the transfer of nuclear technology to the non-nuclear weapon states. Besides, US would introduce the Additional Protocol related legislation in the Senate, which would mandate and formalise civilian nuclear cooperation only with those states that have signed, ratified and implemented the Additional Protocol to the NPT.⁴⁶

On 28 April 2004, the UNSC adopted Resolution 1540, which mandates all the states to punish individuals dealing in nuclear, chemical or biological weapons technology or components.⁴⁷ The Resolution intends to close a loophole in the existing weapons treaties and conventions, which applied to states, but not to the non-state actors and groups or black marketers that might endeavour to acquire such weapons. As this Resolution falls under Chapter VII of the UN Charter, which gives the UNSC the power to enforce certain decisions through tribunals, embargoes, or military force after all peaceful means of persuading the non-compliant member states have been exhausted. A Committee would be established to monitor for the next two years the implementation of the Resolution, and it would expect all the member states to present reports on their efforts to implement the provisions within six months.

Pakistan’s Ambassador to the UN, Munir Akram, during deliberations on the UNSC Resolution 1540 stated Pakistan’s “concerns that arose from the resolution were with regard to the role of the Security Council, to the ability of the Security Council to legislate for other states, and the fear that the council wished to impose measures on states that they had not freely accepted.”⁴⁸ He further reiterated that “Although it was designed to address proliferation by non-state actors, it sought to impose obligations on states.... There were grave implications for efforts to impose obligations on states that their legislatures had not accepted, especially as they related to national security and self-defence.” Akram also remarked “there was no justification for adopting the text under

⁴⁵ ‘UN Urges Toughening Nuclear Rules: The Head Of The UN Nuclear Watchdog Has Echoed President George W Bush’s Call For Better International Co-operation To Curb The Spread Of Nuclear Weapons’, *The BBC News*, 12 February 2004.

⁴⁶ ‘President Announces New Measures To Counter The Threat Of WMD’, <<http://www.ndu.edu/info/whatsnew/PresBush-NDU.cfm>> (Accessed on 12 February 2004), pp. 1-4.

⁴⁷ See UN Security Council Resolution 1540, <<http://www.un.org/News/Press/docs/2004/sc8070.doc.htm>>, pp. 1-4.

⁴⁸ *UN Security Council Press Release SC/8070*, op. cit., p. 7.

Chapter VII.... That fear was exacerbated by the open-ended nature of the draft, providing for further decisions. Thus, the scope of the resolution could be enlarged beyond non-state actors, among other things.” The envoy too pointed out that “the creation of the Council Committee mentioned in operative paragraph 9 was unnecessary.”⁴⁹

Similarly, the Indian Permanent Representative to the UN, Vijay K. Nambiar, also reiterated some pertinent and valid observations concerning the Resolution 1540:

That issue should ideally have been addressed through existing international instruments and by building on them. The Biological Weapons Convention and the Chemical Weapons Convention, as the only two non-discriminatory disarmament treaties, provided for international co-operative efforts for assistance and protection against those mass destruction weapons. India had also supported addressing the issue of radiological weapons at the Conference on Disarmament, in view of the growing concern about radiation dispersal devices.

Moreover, exclusive focus on non-proliferation did a disservice to the essential principle of the mutually reinforcing linkage between disarmament and non-proliferation. Also, export controls are not an issue on which the Council should prescribe norms. The flip side of export controls was indiscriminate technology, or denial to states with legitimate socio-economic needs. India had noted the observations of the co-sponsors that the text did not prescribe adherence to treaties to which a state was not a party. India would not accept any interpretation of the resolution that imposed obligations arising from treaties that it had not signed or ratified.

In addition, as action was being taken under Chapter VII, the resolution should steer clear of any coercive or punitive approach or follow-up mechanism, which would defeat its very purpose. India had noted the sponsors’ assurance that the use of force was not envisaged or authorised by the text.⁵⁰

Pakistan-China Nuclear Co-operation

It would not be out of step to briefly mention here about the nature of Pakistan-China nuclear, scientific and technological co-operation, which dates back to the mid-1970s. It was in 1976, when both the countries had formalised nuclear, science and technology agreement. This accord had nothing to do with the supply of centrifuge uranium enrichment technology. On the contrary, it was purely for peaceful application of science and technology, including for research and development.⁵¹ Their Nuclear Cooperation Accord of 15

⁴⁹ Ibid.

⁵⁰ Ibid. p. 11.

⁵¹ Wahab Siddiqi, ‘Sino-Pak Nuclear Accord’, *Pakistan Horizon*, vol. XXXIX, no. 4 (Fourth Quarter 1986), p. 53.

September 1986 was covered under the IAEA safeguards.⁵² The 1986 deal came at a time when Pakistan had already crossed the nuclear Rubicon. However, China in the 1990s, and in May 2004, under the IAEA safeguards assisted Pakistan in establishing the Chashma Nuclear Power Plants — CHANUP-1 & 2 respectively, for the generation of electricity. Chashma-1 became operational in 1999, while Chashma-2 is expected to be completed in six years by the China National Nuclear Corporation. It “will increase economic activity, employment opportunities for thousands of engineers and scientists” and generate 300-megawatts of electricity.⁵³ Although, since the late 1980s, Pakistan had an indigenous ballistic missiles development programme, as it had then just crossed the nuclear threshold and obviously required a delivery system for its strategic arsenal.⁵⁴

Conclusions

Although Pakistan has not signed the NPT, yet it has always respected the non-proliferation principles of this treaty. It was India in 1974 and again in 1998 that had compelled Pakistan to respond to its nuclear tests due to security reasons. Since Pakistan is a declared nuclear power, therefore, its nuclear policy has been that of restraint and responsibility. Our export control mechanisms are judiciously conceived and are under tight institutional control.

Lately, a number of laws too have been institutionalised and strengthened in Pakistan to address some of the international concerns. In this connection, the Federal Cabinet of Pakistan on 5 May 2004, approved a draft bill that would impose maximum prison term on those individuals involved in the transfer of “material, equipment and technologies related to nuclear, chemical, or biological weapons and their delivery systems.”⁵⁵ Therefore, concerns to the contrary are unfounded, and there is no question of Pakistan sharing its hard-earned expertise and technology with any country, which of course also included Muslims as well as the non-Muslim countries. “The draft bill manifests Pakistan’s strong commitments to the prevention of proliferation of nuclear and biological weapons and missiles capable of delivering such weapons,” remarked Prime Minister Jamali.⁵⁶ The subject bill is expected to be deliberated in the National Assembly in the near future for its adoption. In addition, as far as the safety and control of Pakistan’s nuclear arsenal was

⁵² Ibid.

⁵³ ‘China To Build Second N-Power Plant In Chashma’, *Daily Times* (Lahore), 6 May 2004.

⁵⁴ Bill Gertz, ‘Pakistan Deploys Chinese Missiles’, *The Washington Post*, 12 June 1996; ‘Pakistan Nuclear Program At A “Screwdriver Level”’, *The Washington Post*, February 20, 1996.

⁵⁵ ‘Pakistan Moves To Check WMD Proliferation’ (Editorial), *Daily Times* (Lahore), May 7, 2004.

⁵⁶ Ibid.

concerned, it is already under the elaborate command and control mechanism of the National Command Authority (NCA), which is in place since February 2000 – three years ahead of India. At the same time, Pakistan remains fully committed to the “universal non-proliferation” objectives of the NPT, as President Pervez Musharraf had remarked after the meeting of NCA on 3 September 2003. Therefore, it would be a rational policy to bring the declared NWS – India and Pakistan, and a *de facto* NWS – Israel, into the legal framework of the international non-proliferation regime. The Foreign Minister and the National Security Advisor of Pakistan and India have also reiterated this fact during the 40th Security Conference in Munich in February 2004.⁵⁷ Apparently, the US is not inclined to accept India and Pakistan “as nuclear weapon states” by restructuring the NPT’s framework particularly during the 2005 NPT Review Conference.⁵⁸

In September 1998, the US had refused to ratify the Comprehensive Test Ban Treaty. It also withdrew from the 1972 ABM Treaty; and in 2002, conceived the Nuclear Posture Review policy to prepare itself for a pre-emptive doctrine with the tactical nuclear weapons, including Robust Nuclear Earth Penetrators (RNEPs). This US policy, according to a non-proliferation expert, George Perkovich, is “destined to reduce international co-operation in enforcing non-proliferation commitments rather than to enhance it.”⁵⁹ In addition, in May 2003, the US Senate Armed Services Committee too lifted the ban on the Spratt-Furse Amendments to develop tactical nuclear weapons (TNWs).⁶⁰ Reportedly, since November 2003, the US has started research and development work on the RNEPs and the TNWs. While, the *de jure* NWS have also not implemented one of the “13 practical steps” envisaged in the 2000 NPT Review Conference to “achieve nuclear disarmament,” writes Indonesian Foreign Affairs Minister.⁶¹ This obviously has given US an “offensive deterrence”⁶² capability as conceived in its National Strategy to Combat Weapons of Mass Destruction strategy - in clear contravention to the three basic non-proliferation ideals of the NPT.

The NPT was inherently discriminatory, but it was being supported by the NNWS because the NWS had promised to negotiate “in good faith” to realise the objective of complete nuclear disarmament.⁶³ The nuclear

⁵⁷ ‘Bring The De Facto Nuclear States Into The Legal Loop’ (Editorial), *Daily Times* (Lahore), 11 February 2004.

⁵⁸ ‘US Won’t Accept India, Pakistan, As N-States’, *Daily Times* (Lahore), 10 May 2004.

⁵⁹ ‘A Nuclear Mixed Message’ (Editorial), *Las Angeles Times*, 12 February 2004.

⁶⁰ ‘Disarmament Is The Only Effective Measure Against Proliferation’ (Editorial), *Daily Times* (Lahore), 13 February 2004.

⁶¹ N. Hassan Wirajuda, ‘Rescuing Nuclear Non-Proliferation’, *Daily Times* (Lahore), 30 April 2004.

⁶² ‘Disarmament Is The Only Effective Measure Against Proliferation’, op. cit.

⁶³ Jozef Goldblat, op. cit., p. 106.

disarmament as envisaged in the Article VII, was one of the main pillars upon which the entire edifice of the Treaty rested. In a nutshell, the NNWS had promised to stay non-nuclear primarily due to NWS' pledge to pursue disarmament goal in good faith. Now, since the NWS had developed a pattern of consistently violating their pledge of "good faith" embedded in the Article VII; then, the NNWS, which had no nuclear umbrella in the shape of NATO (North Atlantic Treaty Organisation) and the Warsaw Pact (during the Cold War period) type alliance systems – had systematically resorted to clandestine ways and means to acquire nuclear capabilities in order to bridge their "feeling of insecurity."⁶⁴ The "faith" factor has to be rekindled and revalidated if the problem of nuclear proliferation is to be settled once and for all. This obviously is the bedrock of the Treaty, on which the NWS have now shifted their focus from nuclear disarmament and non-proliferation to counter-proliferation and pre-emption in the 21st century. This dichotomy needs to be rationalised if at all the non-proliferation ideal is to be made achievable in the near future.

The other factor that can play a major contributory role is the matter of respecting the sovereignty, independence and the territorial integrity of NNWS. Unless the sense of security is thoroughly well established in the hearts and minds of the states perceiving threats, the goal of achieving complete check on proliferation would remain as elusive as ever. In the world of insecurities, the NNWS would continue to have sufficient rationale and the motivation - to acquire nuclear weapons capabilities to safeguard their independence and sovereignty. Secondly, Article VII of the Treaty provides a sound basis to pursue the objective of nuclear non-proliferation in the 21st century. Therefore, the unilateral and coercive policies based on the strategies of "pre-emption" and "counter-proliferation" toward the weak and developing countries has to end.⁶⁵ As most of the theorists of the coercive diplomacy too believe that these

⁶⁴ John H. Herz, op. cit., p. 234.

⁶⁵ Robert J. Art and Patrick M. Cronin have categorised the coercive diplomacy under six heads. One, because coercive diplomacy is another form of compellence, and it (compellence) is "harder to pull off than deterrence." Two, "coercive diplomacy is a another form of coercion", which can only be applied through the tools of "denial, punishment, or risk fashion". Three, "reason that coercive diplomacy is hard to execute lies in the fact that estimating resolve both before and during a coercive diplomatic attempt is a tricky affair and, therefore, easy to get wrong." Four, "coercive diplomacy is difficult because the target has to worry about the effects of a confrontation not only on its credibility stakes but also on its power stakes." Five, "coercive diplomacy becomes even more demanding in situation in which more than a single coercer and a single target are present." Six, "if the target believes that it has the ability to counter the coercer's diplomatic and military pressures, then coercive diplomacy becomes so difficult that it will generally fail." See Robert J. Art, 'Coercive Diplomacy: What Do We Know?' in Robert J. Art and Patrick M. Cronin (Eds.), *The United States And Coercive Diplomacy* (Washington DC: United States Institute of Peace Press, 2003), pp. 361-369.

coercive policies are not only hard to execute, but are often prone to failure.⁶⁶ Therefore, multilateral approach within the ambit of International Law would be the best strategy to forge a “Grand Alliance” against nuclear proliferation.⁶⁷ But, at the same time the *de jure* NWS also should not resort to “bullying” tactics to induce the other nations while enforcing the “necessary steps” to check the trafficking of nuclear, biological, chemical and radiological, and ballistic missile technologies to the NNWS.⁶⁸ Finally, the “Grand Alliance” against nuclear proliferation must categorically say “no new nuclear weapon states” beyond the existing number of eight nuclear countries, which include – five *de jure*, two declared, and one *de facto*.⁶⁹■

⁶⁶ Alexander George has enlisted seven conditions that can increase the prospects of coercive diplomacy yielding the desired results. Cited in *ibid*, p. 371.

⁶⁷ Graham Allison, ‘How To Stop Nuclear Terror’, *Foreign Affairs* (January/February 2004), p. 73.

⁶⁸ *Ibid.*, pp. 69 and 73. Graham Allison also writes that, “The solution would be to apply a new doctrine of ‘Three No’s’: no loose nukes, no new nascent nukes, and no new nuclear states.... Preventing nuclear terrorism will require a comprehensive strategy: one that denies access to weapons and materials at their source, detects them at borders, defends every route by which a weapon could be delivered, and addresses motives as well as means;” *ibid*, pp. 65 and 68. However, interestingly, Graham Allison has not suggested a credible solution with a view to reconcile with the declared nuclear weapon state status of both India and Pakistan.

⁶⁹ *Ibid.* p. 71.

NORTH KOREA: BRINKMANSHIP TO NUCLEAR THRESHOLD

Ahmed Ijaz Malik♦

The inclusion of the Democratic People's Republic of Korea (DPRK) in the 'axis of evil', in President Bush's declaration of January 2002,¹ accompanied by the pre-emption in Iraq has complicated the fragile US-DPRK negotiation process. This has in turn increased the fear of conflict in the Korean peninsula and providing DPRK incentives to nuclearise itself. The state's continuing adherence to national mythology reinforced by a dynastic succession from father, Kim IL Sung to son Kim Yong Il; and DPRK being the sole surviving Stalinist state, with an undiminished cult of personality surrounding Kim Yong Il², the regime overall being engulfed in a contrived mystique and a closed political system; leaves little room for strategic analysts to predict its intentions or estimate the element of threat in the current crisis. Thus the whole process of negotiations revolves around certain motivations and factors. Writers like Philip Saunders, however, consider that the basic motivation of DPRK for pursuing a nuclear programme, other than using it as a deterrent are, firstly using it as a means to forcibly reunify the Korean Peninsula; secondly, treating it as a bargaining chip to be later given-up during negotiations at the right price; thirdly, the belief that nuclear weapons are the only credible means for the regime's survival³; and finally, the motivations from newly nuclearised states like India and Pakistan being ultimately benignly accepted by the international community.

In addition there are certain emergent factors and new strategic determinants in the region that are guiding the negotiation process and also compelling the concerned parties to re-evaluate the manner of their bargaining and negotiations. China is emerging as a new economic power and Japan sees it as a major market. China and South Korea (Republic of Korea, ROK) are active

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¹ The White House, "President Delivers State of the Union Address", 29 January 2002, <<http://www.whitehouse.gov/news/releases/2002/01/20020129-11.html>>.

² Jonathan D. Pollack, "The United States, North Korea, and the end of Agreed Framework", Special report on North Asia Peace and Security Network, published by Nautilus Institute, 5 May 2003, <http://www.nautilus.org/pub/fpt/napsnet/special_report/Pollack-AgreedFramework.txt>, p.4.

³ Phillip C. Saunders, "Confronting Ambiguity: How to Handle North Korea's Nuclear Program", *Arms Control Today*, (March 2003), <http://www.armscontrol.org/act/2003_03/saunders_mar03.asp>

trade partners because the latter is evolving into a robust economy.⁴ A nuclear crisis does not augur well in such economic dynamics, especially if Japan feels threatened from DPRK and contemplates going nuclear, shifting attention from economic growth to nuclear safety. The challenges in the Korean Peninsula are both economic and security oriented. On a larger scale, the United States (US) is confronted by unidentifiable enemies in the form of terrorists. The US administration also seems to consider that a point of no return will be reached if DPRK leader Kim Jong Il sells nuclear weapons-grade plutonium that could end up in the hands of terrorists.⁵ In view of these factors and an unsuccessful unilateralist approach towards DPRK, there is a slight change in the US policy where President Bush Jr. has shown an inclination towards multilateralism in engaging DPRK.

In the primary analysis of the current crisis, DPRK seems to be approaching the nuclear threshold since it has gradually detached itself from the agreed framework of 1993-4, declared its withdrawal from the Treaty of Non-Proliferation of nuclear weapons, continued the enrichment of uranium and plutonium and has conducted missile tests. If the crisis escalates any further, the DPRK missiles, chemical and biological weapons combined with conventional weapons can pose a strong threat to the US troops based primarily in ROK and in Okinawa (Japan). The US missile interceptor system is the primary line of defence against the DPRK missiles, which are as lethal as Scud missiles. The greatest concern is the apparent frailty of the US Patriot interceptor systems that have not been very effective against low altitude Scud missiles. This factor would be of primary importance because the US would not want to utilise its military option unless it is fully confident of its Patriot defence system's credibility. In the meantime DPRK could secretly pursue its nuclear and missile programmes. On the other hand, the peaceful resolution of the dispute could mainly come about when DPRK categorically declares that the issue is resolved after negotiations. This could mean that the US is giving enough concessions in the form of economic help, sovereignty and pulling out its bases from the Korean peninsula.

This paper includes a study of the missile threat emerging from DPRK and the deficiencies of the US missile defence system as a whole, as the basis for the future security and threat perception by both the contenders in the Korean peninsula. It will conduct a comparative study of the brinkmanship in the crisis of 1993-4 and the negotiations in the current crisis, in order to highlight their similarities or differences. It will also examine whether brinkmanship in the current crisis is leading DPRK to the nuclear threshold and the flaws in the

⁴ James T. Laney and Jason T. Shaplen, "How to deal with North Korea", *Foreign Affairs*, March / April 2003, p.19.

⁵ John Larkin and Murray Heibert, "Fear and Loathing in Pyongyang", *Far East Economic Review*, 17 April 2003, p.13.

negotiating tactics are worsening the situation. Finally, an effort will be made to study the regional dynamics and how the strategic environment will change in case the nuclear crisis prolongs.

The Missile Threat

The Patriot defence system may have saved hundreds of lives on ground during the Second Gulf War but its credibility against high-speed Scud type missiles is still uncertain. The US Army's Test and Evaluation Command, Pentagon's Director of Operational Test and Evaluation, has reported that the Patriot has not been developed enough to warrant its full-rate production. The Patriot missile defence system itself was involved in three friendly-fire incidents resulting in the deaths of one US and two British pilots. According to the media reports there were 16 Iraqi missiles launched at coalition forces and Kuwait in March and April 2003. In reply 20 Patriot Advanced Capability (PAC-2) interceptors were launched, the majority of which were Guided Enhanced Munition (GEM). The US Army also launched four more modernised Patriot PAC-3 interceptors. There are reports of 10 Iraqi missiles engaged by Patriots: six by the US batteries and four by Kuwaiti Patriot batteries. The Patriots were targeting short-range ballistic missiles, the Ababil-100 and Al-Samoud 2. However, Iraq had not launched any of its Scud missiles that had a range of more than 400 miles.⁶ Apparently the US and Kuwaiti missile defences and warning systems failed to detect or intercept four or five of Iraqi low-flying missiles.⁷

To understand the system of interception it is essential to study the missile systems and the Patriot interceptor system, its capabilities and limitations. The PAC-3 utilises hit-to-kill technology where the warhead strives to directly intercept the enemy missile.⁸ On the other hand, in trying to escape a missile interceptor system, the attacking missiles can be up-graded after some alterations. The navigation for land-attack cruise missiles requires only relatively cheap Inertial Navigation Systems (INS) integrated with Global Positioning System (GPS) receivers,⁹ both of which are readily available -- separately or already integrated -- as commercial off-the-shelf items. If rudimentary autopilots that crudely guided the HY-2 seersucker (Scud) missiles are replaced with modern land-attack navigation, the missile can, not only avoid detection and

⁶ *Hold your applause: the Patriot missile defence system's wartime record reveals a complicated mosaic of innovation and flaws*, Report published by the Centre For Defence Information, 13 May 2003. <www.cdi.org/friendlyversion/printversion.cfm?documentID=999>

⁷ Dennis M Gormley, "Missile Defence Myopia: Lessons from the Iraq War", *Survival*, vol. 45, no.4, (Winter 2003), p.61.

⁸ *Ibid.*

⁹ These systems are tools for guiding the attack missile and monitoring its path and avoiding detection by interceptors, through computerised navigation systems. <http://www.sciencedaily.com/encyclopedia/inertial_guidance_system>.

interception but also inflict significant damage. Considering this evidence, the idea of conversion and upgradation of the land-attack missiles to the level of invulnerability against Patriot interceptors might seem attractive to the missiles owning countries. The task of conversion, however, is not very easy. Although the component technologies and subsystems are available off-the-shelf, it is not easy to integrate individually complex subsystems into a working whole, which achieves consistently precise results demanded of a precision delivery system. Similarly, Unmanned Air Vehicle (UAV) can also be acquired for the same purpose, but the guarantee of compatibility of the “system integration” software tools that can be attached to the UAV; cannot be ascertained. The other less formidable barrier in missile conversion is the incorporation of a suitable jet engine to replace the liquid fuelled rocket engine in the HY-2.¹⁰ The conversion of missile systems to make them more robust would be the major problem that the US missile scientists are likely to confront.

The pertinent question, however, is the function and credibility of the Patriot interceptor systems in identifying and destroying an incoming ballistic missile. During the Second Gulf War a US Air Force jet F-16 CJ flying a suppression of enemy air defence mission thought it was being targeted by a forward deployed radar and consequently launched a high-speed anti-radiation missile against it. The Patriot radar was slightly damaged. After another similar incidents, the Air Force decided to revamp its rules of engagement and announced that its pilots were to double-check before launching missiles against what appeared to be enemy air defence. The Identification Friend or Foe (IFF) which, beacons very well, may not have worked at all, since the Iraqi Air Force jets were not flying. Similarly the Patriot missile should have been able to identify a friendly aircraft with the help of the computer programmes for identification and verification attached with them. Due to the extremely cluttered environment that the Patriots were operating in; and the resulting electronic interference that may have been generated by the radars deployed in close proximity; the radar system simply failed to recognise the allied aircraft and mistook them for something of a threat. Indeed it is plausible that the blue aircraft were deemed by the Patriot’s radar to be missiles. A substantial portion of the \$ 3 billion spent on upgrading the Patriot was used to make its radar much more discriminatory. Patriot is supposed to be capable of handling a much more cluttered air picture with objects of much smaller radar cross-section than the earlier radar could have done. If this problem persists the Pentagon will be limited to deploy the Patriots systems only in the theatres

¹⁰ Dennis M. Gormley, “North Korean Cruise Test and Iraqi Missile Attacks Raise Troubling Questions for Missile Defences”, Monterey Institute of International Studies, 8 April 2003, www.cns.miis.edu/pubs/week/030408.htm

where there will be no US aircrafts, meaning no theatre of war.¹¹ During the engagement with Iraqis the only two missiles which got through the Patriot's radar unnoticed; were the CSSC-3 Seersucker Cruise missiles both of which landed in Kuwait.¹² Seersuckers are designed for use against ships at sea but can be employed over land to attack large targets that have primitive radar guidance systems.¹³ The Patriot missile system had shown that it is lethal against aircrafts and ineffective against cruise missiles.

The 9 Iraqi missiles that were not destroyed by the Patriot landed harmlessly in the desert, but this does not change the fact that they were not intercepted. The engagement time had also shrunk from 4.5 minutes in 1991 to 1.5 minutes in 2003 because the shorter-range missiles like Russian type, Frog-7 were used. Manoeuvrability of the Patriot's launching bases is another factor. The launching vehicles of the Patriots are mobile and it was difficult to move them in the sandy terrain¹⁴, thus showing that the manoeuvrability systems also needed to be upgraded.

DPRK has gradually developed its missile technology from the earliest R-17 E type to Hwasong 5 and Hwasong 6, later to be modified into Nodong and Taepodong missiles. The most modern of its missiles that it is working on is Daepodong Intercontinental Ballistic Missile (ICBM).¹⁵ DPRK leadership views the possession of nuclear arms and delivery systems as the ultimate guarantee that the US will not entertain any ideas about invading or bringing about a regime change in Pyongyang, which has emerged as a remote but a lingering concern, considering the examples of Afghanistan and Iraq. In their perception, DPRK's nuclear capability is likely to warn the US that there will be a very heavy price to pay if it were to attack DPRK. The price could well be the destruction of US bases in ROK and Japan, or attacks on Seoul and Tokyo, or even Los Angeles and San Francisco – if Pyongyang succeeds in developing a fully intercontinental ballistic missile. DPRK's current longest-range missile

¹¹ *Hold your applause: the Patriot missile defence system's wartime record reveals a complicated mosaic of innovation and flaws*, Report published by the Centre For Defence Information, 13 May 2003. <www.cdi.org/friendlyversion/printversion.cfm?documentID=999>

¹² *A Daily breakdown of Patriot Activity*, Report published by the Centre For Defence Information, 13 May 2003, <www.cdi.org/friendlyversion/printversion.cfm?documentID=1001&from_page>

¹³ Dennis M Gormley, "Missile Defence Myopia: Lessons from the Iraq War", *Survival*, vol. 45, no.4, Winter 2003, op. cit., p.66.

¹⁴ *The Patriot Missile Defence System in Iraq: Newly-released Army History Raises Serious Questions*, Report published by the Centre For Defence Information, 22 October 2003, <www.cdi.org/friendlyversion/printversion.cfm?documentID=1798&from_page>

¹⁵ Joseph S. Bermudez Jr., *A History of Ballistic Missile development in the DPRK*, Occasional Paper no. 2, published by the Center For Nonproliferation Studies, Monterey Institute of international Relations, 1999, pp.14-27.

Taepodong 2 can “only” reach Alaska.¹⁶ Moreover, DPRK seems to have opted for a three-tiered strategy that involves using weapons of mass destruction to catastrophically damage ROK and the US forces to the point where the outdated DPRK conventional arsenal might still be effective. One battery of DPRK 240-mm multiple rocket launchers fired at Seoul can deliver roughly a ton of chemical weapons, which, according to various accounts, could kill or injure thousands.¹⁷

The missile programme is one of the finest investments of the DPRK. It has also been a major source of employment and income. The missile development, production, deployment and exports generates four benefits to the Korean Workers Party (KWP) elite and the National Defence Commission (NDC) -- security from external threats, foreign exchange earnings, domestic employment and national prestige.¹⁸ Thus it is obvious that DPRK would like to maintain and upgrade its missile technology upon which it has invested over the years.

The US Policy and Negotiation Process

Prior to the signing of the agreed framework, there was a latent hostility in the DPRK leadership camp, which came out full-blown during the crisis of 1993-94. Kim Jong Il, on March 9, 1993, had asked all the people to switch to a ‘state of readiness for war’. The DPRK leadership however, for the first time declared its intention to resume talks with the US at bilateral level. The package solution to the crisis presented by the US, included DPRK’s acceptance of ad hoc inspection by the IAEA as well as the resumption of the DPRK-ROK talks. In the second phase DPRK was required to accept the IAEA special inspections of two suspected waste sites in Nyongbyon in return for US recognition for DPRK and trade investment concessions from the US, ROK and Japan. In early 1994, the situation again became hostile. It was widely rumoured that Patriot surface-to-air missiles had been deployed in ROK. The ROK defence ministry talked of conducting ‘Team Spirit 1994’ exercises unless DPRK agreed to nuclear inspection.

During the crisis DPRK took another step of brinkmanship to increase tension. It shut down the 5-megawatt reactor in Nyongbyon on April 1, 1994, and informed the IAEA that it would begin removing the spent fuel rods soon, and that it is willing to allow inspection but at the same time DPRK conducted joint naval-air force-military exercises with unusual vigour. Later in May and

¹⁶ Yoel Sano, “Talks aside, North Korea won’t give up nukes”, *Asia Times Online*, 28 February 2004.

<<http://www.atimes.com/atimes/Korea/FC02Dg04.html>>

¹⁷ Bruce Burnett, “N. Korea’s threat to S. Korea”, *United Press International*, 7 March 2003, published also by RAND, <www.rand.org/commentary/030703UPI.html>

¹⁸ Daniel A. Pinkston, “Domestic politics and Stakeholders in the North Korean Missile Development Program”, *The Nonproliferation Review*, (Summer 2003), p. 5.

June 1994, DPRK test-fired Silkworm anti-ship cruise missile in the Sea of Japan. The crisis ended with an agreement between DPRK and US as a result of ex-President Jimmy Carter's shuttle diplomacy. Carter reached an understanding with President Kim on June 17, that DPRK will freeze its nuclear weapons development programme until the third round of the US-DPRK talks, and US would provide heavy fuel supply for the LWR reactors. In the period leading up to the final settlement, the US and DPRK were engaged in psychological warfare with the threat to use force and harsh rhetoric with DPRK's deterrent capability playing an indispensable role in the conduct of nuclear diplomacy.

However, there existed some flaws in the implementation of the previously agreed framework. Firstly, the reactor construction projects at Yongbyon and Taechon were to be dismantled prior to the completion of the second LWR. Secondly, DPRK was obligated to be in 'full compliance' with IAEA safeguards when a significant portion of the LWR project was completed, but before the delivery of key nuclear components. Thirdly, DPRK was required to disclose the location and allow inspection of all declared nuclear sites but not until a significant portion of the first LWR had been completed. Finally, DPRK was required to can the eight thousand spent fuel rods and place them in a cooling pond, with all the spent fuel to be removed from the DPRK once the nuclear components for the first LWR began to arrive and that DPRK was judged to be in full compliance with the IAEA safeguards.¹⁹ However, both DPRK and the US accused each other for not reciprocating to ensure the success of the agreed framework.

While exercising nuclear coercion against ROK, DPRK had to deter possible preventive attacks by the US to take out its nuclear facilities. DPRK had to avoid getting counter-coerced into abandoning its nuclear weapon development programme without obtaining meaningful 'compensation'. It had enhanced its military offensive capability including the strategic arsenal, chemical weapons and missiles. General Gary Luck, commander-in-chief, US-ROK Combined Forces Command while assessing that DPRK did not have the arsenal required for winning a war; it was quite capable of retaliating. General Luck estimated that in a full-scale war, one million people could be killed, and the US would have to spend \$100 billion. The damage incurred to property and business activity would amount to more than \$1 trillion.²⁰

The extent of this perceived threat and the stagnation in the negotiation process had made it imperative to review the negotiation tactics. The basic preconditions of an effective foreign policy's accurate information about politics, economics and society of foreign countries, and a clear understanding

¹⁹ Jonathan D. Pollack, "The United States, North Korea, and the end of Agreed Framework", *op. cit.*, p.8.

²⁰ Narushige Michishita, "North Korea's 'First' Nuclear Diplomacy", *The Journal of Strategic Studies*, vol.26, no.4, December 2003, pp.47-64.

of the interests, perceptions and objectives of their governments needed to be reviewed. DPRK's closed society has always presented particular challenges for obtaining information and developing an understanding necessary for an effective foreign policy.²¹ During the current crisis the debate has been revolving around the question, whether Washington should demand DPRK to both dismantle nuclear arms, if any; and shutdown its nuclear programme, or just threaten with dire consequences if Pyongyang tries to sell its nuclear arms. To rely simply on pressure and containment is unlikely to keep DPRK from getting more weapons. To prevent this, Washington has only two options: military strikes and negotiations. At the moment, the administration seems inclined to do neither.²² The lack of information remains the main barrier. The US government relies too much on second-hand information from countries that have diplomatic relations or direct contact with DPRK. This lack of clear and first-hand information combined with the secretive nature of the DPRK regime had led some people to conclude that Kim Jong Il is irrational and that his policy of brinkmanship could backfire and extinguish any hope for a peaceful resolution of the current nuclear crisis.²³ On the other hand, the stance of the US seems rigid too. The US continues to demand a Complete, Verifiable and Irreversible Dismantling (CVID) of DPRK's nuclear programme. In return of the CVID, DPRK wants the US to sign a formal non-aggression treaty, establish full bilateral diplomatic relations, and provide Pyongyang with billions of dollars worth of economic and energy assistance.²⁴ Apparently, this strategy of confrontation is not helping in the resolution of the crisis.

The other strategy is that of non-violent and coercive mechanisms in the form of embargo. As the US plans an international embargo to choke off DPRK's trade in missiles and nuclear materials, along with its lucrative traffic in drugs and counterfeit currency, the terminology has become highly charged especially with the proposition of the Proliferation Security Initiative (PSI) of May 31, 2003.²⁵ In resolving the nuclear crisis Japan and Australia are expected to play key roles in implementing the US-engineered policy, which also has the active support of Britain, France, Germany, Italy, the Netherlands, Poland, Portugal and Spain. The plan is for the coalition members to intercept and

²¹ Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly", *Survival*, vol.45, no.3, (Autumn 2003), p.79.

²² Murray Heibert, "Decision Time Looms Over North Korea", *Far East Economic Review*, 15 May 2003, p.12.

²³ Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly", op. cit., p.80.

²⁴ Yoel Sano, "Talks aside, North Korea won't give up nukes", op. cit.,

²⁵ The Proliferation Security Initiative was promulgated on 31 May 2003 and the main initiator is the US. The other partners include Australia, France, Germany, Italy, Japan, the Netherlands, Poland, Spain and the UK. PSI is primarily a maritime based policy, whereby the key allied states of the US will be required to interdict "suspect ships" that are believed to be carrying fissile material or any nuclear related material.

search ships or aircrafts suspected of carrying weapons of mass destruction, or their components, on Pyongyang's behalf. Pentagon estimates that missile sales earned DPRK about \$ 60 million in 2001, a figure that is thought to represent a major proportion of the country's overall trade. German authorities in April 2003 seized 22 tonnes of aluminum tubes in Hamburg. The tubes, essential for making enriched uranium, were destined for DPRK. In May, the French and German authorities intercepted a shipment of sodium cyanide that they believed was bound for DPRK for use in the manufacture of chemical weapons, according to news weekly *Der Spiegel*.²⁶ With the DPRK's economy in dire straits, this measure is calculated to increase pressure on Pyongyang to abandon its nuclear weapons programme in return for international aid.

The US administration rejects offering a comprehensive settlement proposal. Its strategy is to not negotiate, just wait: Kim's provocations will reach a point where they will alienate all concerned governments and turn them into allies of the US in isolating DPRK. In addition the US administration believes that it is time to apply coercive but non-violent measures. The key dilemma is that even the interdiction is unlikely to prevent DPRK from transferring nuclear materials, given the extreme difficulties in detecting such shipments. Thus the view within the administration is that only an end to Pyongyang regime will eliminate such a risk. Thus PSI is also directed at constricting DPRK's missile sales and other key sources of Pyongyang's foreign exchange. On the contrary if Pyongyang rescinded its unwise threat to proliferate nuclear materials, the US administration would come under greater pressure. A second obstacle is to gain support of ROK, China and Russia to join the US plan. DPRK's nuclear-fuel reprocessing would provide such a trigger. The credibility of such a report of DPRK's intentions to start nuclear reprocessing is not going to be an easy task since the controversy over the US intelligence about weapons of mass destruction in Iraq, adds to such doubts.²⁷

In a broader perspective, it seems the US lacks a coherent policy of engagement with DPRK, because of disagreements among the US decision makers. The arguments go beyond the traditional State Department-Pentagon split, frequently leading to intra-agency disputes. On one side of the debate are those who think that DPRK can be persuaded to abandon its nuclear ambitions in exchange for eventual aid, guarantees of security and other diplomatic incentives. Their opponents profoundly mistrust the DPRK and want to use political and economic pressures to force the Pyongyang government to capitulate or collapse.²⁸ The Bush administration is considered to be suffering

²⁶ David Lague and Murray Heibert, "Pressure Politics", *Far East Economic Review*, 17 July 2003, p.22.

²⁷ Larry Niksch, "Bush ponders a Military Option", *Far East Economic Review*, 17 July 2003, p.24.

²⁸ Glenn Kessler, "U.S. has a shifting script on N. Korea", *Washington Post*, 7 December 2003.

from a bipolar disorder. The administration's erratic swings from limited diplomatic engagement one day to "personal" statements by the Under Secretary of State for Arms Control and International Security, John Bolton prefiguring the collapse of DPRK the next, and then back to engagement the day after; reveals a real lack of strategic coherence on the Bush administration's part.²⁹

This lack of coherence goes further down to the very basic levels. The greatest impediments in the negotiation process are the linguistic barriers, ideological barriers that distort interpretations of development in DPRK, intellectual constructs that conceal important information, the reluctance to acquire a deeper comprehension of the mindset of the DPRK's leadership, and a deliberate misrepresentation for political or policy convenience.³⁰ Moreover it seems that whenever there seems to be an agreement to talk; the US administration decides to make changes in the agenda or the conditions of the dialogue. This attitude has been termed 'amateurish' by a senior US negotiator.³¹ To make matters worse, the DPRK leadership does not soften its stance. The vitriolic and apocalyptic tone routinely employed by the DPRK government and media discourages efforts to take them seriously. The US administration's rejection of these statements as propaganda implies discarding one of the few sources of information on the DPRK leadership. DPRK has been insisting that the message in many meetings had been misinterpreted by the US. The meeting held in October 2002 with the US Assistant Secretary of State, James Kelly leading the US team, came to have two different versions; one of the US and the other of the DPRK, ironically both dissimilar. Pyongyang alleged to have categorically denied having any uranium enrichment programme and saying later that Kelly 'dreamed up a fiction'.³²

Another barrier to understanding DPRK is a tendency to view the country through ideological blinder. The DPRK economy has been in serious economic trouble since the end of the Cold War due to structural economic problems, severe energy shortage and loss of foreign assistance. Famines in the mid-1990s killed at least one million. The DPRK system bears primary responsibility for these economic failures, but the distaste for the regime in Pyongyang and a predilection for moral clarity run the risk of oversimplification. Pyongyang's inability to produce exportable items to earn foreign

²⁹ Peter Hayes, "Bush's Bipolar Disorder and the Looming Failure of Multilateral Talks With North Korea", *Arms Control Today*, (October 2003), <http://www.armscontrol.org/act/2003_Hayes_10.asp>

³⁰ Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly", op. cit., p.81.

³¹ Charles Pritchard, "What I saw in North Korea," *The New York Times*, 21 January 2004.

³² Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly", op. cit., pp.81-82.

exchange has been its long troubling problem. However, the regime has recently signaled the desire to open its economy and increase its exports not just of missiles but also of other products like textiles, minerals and metallurgical products. Most observers expected DPRK to implode quickly after the end of Cold War and following famines in the mid-1990s, but the regime has managed to survive. Another problem is that this ideological perspective underestimates the possibility of internal economic changes that could sustain the regime without fundamental changes.³³

Given the US administration's interpretation of their own motives as good, they have difficulty in understanding how any reasonable state could view US power or actions as threatening. The lack of serious efforts to understand the security perspectives of other states has been a major source of misperception. Rogue states are assumed to produce WMD to support illegitimate ambitions such as territorial conquest or regional dominance rather than legitimate security concerns that might be satisfied by security assurances. In the same perspective, DPRK's situation can be understood through the prism of security dilemma, where US efforts to enhance its security are viewed by Pyongyang as highly threatening actions that require efforts to enhance Pyongyang's military capability. A number of analysts have expressed concerns that US military threats designed to reinforce deterrence may have the unwanted effect of persuading DPRK that nuclear weapons are necessary to ensure regime survival. For lack of a better word, empathy on the US' part is required.³⁴ Pyongyang saw similar ominous moves in the year 2003 when the US was pressing ahead with the redeployment of its troops in ROK away from the Demilitarised Zone (DMZ). Fuelling Pyongyang's paranoia as well as legitimate fear, in July 2003, US news and World Report magazine carried a story outlining a new US military plan, known as Operational Plan 5030, whereby Washington could try to bring about a regime change in Pyongyang by carrying extensive military exercises. Former US Central Intelligence Agency director R James Woolsey and retired Lieutenant-General Thomas McInerney, the former vice chief of the staff of the US Air Force, penned an article in the *Wall Street Journal* advocating the viability of a military attack on DPRK. They suggested that the country could be bombed at 4,000 sorties a day, compared with 800 a day in the "shock and awe" campaign in Iraq. They stated that the US Marines could capture Pyongyang itself and defeat DPRK decisively in 30-60 days.³⁵ Considering the current state, it is obvious that the re-evaluation of the US policy and strategic posture vis-à-vis DPRK is essential to effectively engage in viable negotiations.

³³ Ibid., pp.84-85.

³⁴ Ibid., p.91.

³⁵ Yoel Sano, "Talks aside, North Korea won't give up nukes", op. cit.

Moreover the concepts like the 'rogue state' initially popularised by the Clinton administration as part of an effort to identify threats to US in a post-Cold War era; have had negative impact on the US debate on DPRK. The rogue state construct also implies that force and threats are the only appropriate ways to deal with fundamentally unreasonable countries. This discourages any attempts to understand, much less address; the security needs of countries such as Iran, Iraq and DPRK. Some US analysts believe that DPRK has an undeniable history of terrorist activities, some of which were reportedly approved personally by Kim Jong Il.³⁶ In January 1968, 31 DPRK commandos crossed the demilitarised zone in an attempt to assassinate the ROK President Park Chung Hee, which ended in a gun battle near the Presidential residence, in which all but one of the commandos were killed. In October 1983, DPRK attempted to assassinate President Chun Du Hwan. This attack was carried out in Burma with a remote-controlled bomb that killed 21 people including four ROK cabinet ministers. In November 1987, two DPRK agents planted a bomb in a Korean Airline jet that caused the aircraft to crash over Andaman Sea. Despite this past deplorable record, the DPRK government has not engaged in any terrorist attacks for more than 15 years neither has any contacts with any terrorist organisation been proven. The most credible evidence of support for terrorists, in the view of the US, is the presence of certain Japanese Red Army terrorists wanted by the Japanese government.³⁷ Moreover, this the newly coined term 'rogue state' is still ambiguous because it does not apply to some other states that pose similar resistance and opposition to the US.³⁸

A final barrier to better DPRK policy involves deliberate distortion or misrepresentation for political or policy convenience. The Bush administration's apparent tendentious use of intelligence to establish the imminence of Iraq's WMD threat is a prominent recent example, and the US administration's efforts to label DPRK a 'terrorist state actively engaged in terrorism' also falls into this category. Labeling DPRK as a terrorist supporter or in the axis of evil is a misrepresentation. The ambiguities about DPRK's intentions and motivations – sometimes deliberately created by the DPRK leaders to increase their bargaining power – means that plausible competing (and sometimes contradictory) assessments of DPRK motivations and behaviour coexist among policymakers. The cognitive shortcuts make it difficult for policy makers to maintain an open mind, colouring their interpretations of new information. 'Cognitive consistency' can cause policy makers to be especially receptive to information that confirms their pre-existing beliefs and to ignore or downplay information

³⁶ Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly", *op. cit.*, p.89

³⁷ *Ibid.*, p.89.

³⁸ Cuba under Fidel Castro and Venezuela under Hugo Chavez.

that contradicts those beliefs.³⁹ The Proliferation Security Initiative (PSI) is an interesting by-product of a divided US administration, unable to decide on a coherent DPRK policy.

DPRK's Nuclear Option

On January 10, 2003, DPRK announced its withdrawal from the treaty of Non-proliferation of Nuclear Weapons. The DPRK announcement that it will withdraw from NPT took the new US administration by surprise and enabled the DPRK to take the initiative in the affair and gave it plenty of time for crisis bargaining. Considering the systematic conduct of the military-diplomatic campaigns during the 1993-94 period, it seems DPRK had already prepared a more or less concrete plan for the nuclear diplomacy by the time it announced its plan to withdraw from NPT. In a planned strategy a special team named 'Haeg Sangmu Jo' or nuclear permanent team was organised as early as 1991 with the Ministry of Foreign Affairs (MFA), the Ministry of Atomic Energy and Korean Workers Party (WPK) officials as its members. This team played a critical policy-making role concerning the nuclear issue.⁴⁰

This emergence of the nuclear posture of DPRK is a result of some changing patterns of alliances during the past two decades. Events that shook Pyongyang's confidence in its allies include the normalisation of US–China relations, the collapse of USSR and the socialist countries in Eastern Europe, the normalisation of relations between Moscow and Seoul and Beijing and Seoul. In sum, these events led DPRK leaders to question the credibility of its alliance partners, while also increasing Pyongyang's perceived utility of nuclear weapons.⁴¹ The term *Chuch'e* meaning self-reliance, first appeared in DPRK politics in 1995 and from then onwards, the ultimate aim of the regime seemed to be the development of a self-sustaining nuclear and missile capability.⁴² DPRK's motivations to nuclearise could firstly be the element of prestige. Though a relatively unimportant motivation but in the current security situation in the Asia Pacific, DPRK without nuclear weapons would probably be another Myanmar, routinely condemned for its human rights record, but generally isolated and ignored in the region and by the wider world. Secondly, there is the

³⁹ Daniel A. Pinkston and Philip C. Saunders, "Seeing North Korea Clearly", op. cit., p.91-92.

⁴⁰ Narushige Michishita, "North Korea's 'First' Nuclear Diplomacy", *The Journal of Strategic Studies*, vol.26, no.4, December 2003, op. cit., pp.67-68.

⁴¹ Daniel A. Pinkston, "North Korean Motivations for Developing Nuclear Weapons", Published by the Monterey Institute of International Studies, 30 October 2002, <<http://cns.miis.edu/research/korea/dprkmotv.pdf>>

⁴² Daniel A. Pinkston, "Domestic politics and Stakeholders in the North Korean Missile Development Program", *The Nonproliferation Review*, (Summer 2003), op. cit., p.3.

objective of gaining security and the extension of the regime of Kim Jong Il.⁴³ There can be another motivation to have nuclear weapons. Following the example of India and Pakistan in South Asia, where these countries after bearing the brunt of sanctions ultimately got acceptance of the great powers, however, unwilling it might have been. This example can be followed, but would DPRK be willing to cooperate with the US in the similar fashion that India and especially Pakistan have been cooperating in the US' war against terror; remains an open question.

A summary of four scenarios is given by specific names for situations, in case DPRK decides to go nuclear. In *Green Flash*, DPRK has admitted and tested its nuclear weapons but a precarious peace prevails. In *Boom Boom* scenario the DPRK has gone nuclear but the situation is spiraling out of control towards war. In *Eagle Stands Alone*, the US has confronted a DPRK that for reasons of its own has gone nuclear. The US has failed to force a regime change in Pyongyang and is preoccupied by security challenges outside of Korea. Finally, in *Embrace Tiger, Retreat to Mountain*, the US has engaged the DPRK as part of a broad coalition of states willing to facilitate its economic recovery and transition while the DPRK is moving incrementally back to non-nuclear status, yet the DMZ remains tense.⁴⁴ Pushed hard enough, the DPRK may conduct an underground low-yield subcritical test that would keep everyone guessing and increase the ambiguity created by their nuclear weapons. In this green flash scenario, DPRK would walk free with nuclear weapons while the US-led PSI chases their exports.⁴⁵ However, whether DPRK has, or will be able to acquire the detonation facility for nuclear weapons still remains to be clearly answered.

The DPRK economic situation has transformed it into a different type of culture. Many rural, provincial and border communities have moved to a local makeshift economy from whatever resources they can mobilise. The cities, the national leadership and the military rely on extracting a surplus from these local makeshift economies and on external support mainly from China. These players also charge rent on trade, investment and financial arrangements with third parties such as Taiwanese and South Korean firms, labour exports to Russia, and subvention from overseas Koreans in Japan etc. The Bush administration's proliferation security initiative can chase missile-carrying airplanes or ships around the world, but it cannot make a dent in these fundamental dynamics.⁴⁶

⁴³ Yoel Sano, "Talks aside, North Korea won't give up nukes", op. cit.,

⁴⁴ *A Korean Krakatoa? Scenarios for the Peaceful Resolution of the North Korean Nuclear Crisis*, Report published by the Nautilus Institute, (August 2003), <www.nautilus.org>.

⁴⁵ Peter Hayes, "Bush's Bipolar Disorder and the Looming Failure of Multilateral Talks With North Korea", *Arms Control Today*, October 2003, <http://www.armscontrol.org/act/2003_Hayes_10.asp>

⁴⁶ Ibid.,

Military Option and the Regional Dynamics

The military option by the US could be a result of DPRK continuing its missile programme and uranium and plutonium reprocessing. The first step towards nuclearisation; starting from reprocessing plutonium might be an appealing option for Kim. After looking at the example of Iraq, he might see nuclear weapons as his only defence. In the current crisis, to make matters worse, President Bush has fuelled fears of such a worst-case scenario when he said North Korea's refusal to surrender its plutonium and uranium-based weapons programmes would have to be solved "militarily" if not diplomatically.⁴⁷ Such an option can have some unpredictable and antagonistic reactions from the other states in the region. For instance there are signs that China, on which DPRK relies heavily for oil and military supplies, in view of such a situation is already putting pressure on its neighbours to pull away from the confrontation. To build support for more coercive measures, Washington may, agree to another round of talks, perhaps, hosted by China, but winning support for a harder line could prove very difficult. During the talks toning down the military option and calling for sanctions, could also act like a red rag to a bull, since Pyongyang would consider moves to impose sanctions a green light for war.

The US military bases in Okinawa remain the main strike force for dealing with the DPRK nuclear threat. Of course, the biggest burden in any military stand-off would fall on South Korea's half million troops and the 37,000 US soldiers stationed in the Korean peninsula. DPRK, however, remains the focus of US wider network bases in the region. The linchpin is Okinawa, a strategically located island just 1400 kilometers from Pyongyang. DPRK is also on the mind of Okinawa's Marines. The 3rd Marines Expeditionary Force is a fast-response infantry with its own transport and maintenance units, attack jets and helicopters and enough food, ammunition supplies and fuel to fight for 30 days without resupply. This blend of speed and flexibility means that it would likely be among the first reinforcements to the Korean peninsula in a war. In Okinawa, in early March 2003 four DPRK fighters intercepted an unmanned US air force surveillance aircraft. Such incidents raised the concern in DPRK that they could be the next on the list after Iraq. Similarly in the US, the distrust over DPRK runs deep, where the struggle is under way between the moderates who support negotiations and the hawks that say Kim Jong Il responds only to force. Both approaches rely on massive US military presence in the region as their trump card, even if it is played only to keep Pyongyang on the bargaining table.⁴⁸ The alleged plutonium reprocessing and uranium facilities cannot be

⁴⁷ John Larkin and Murray Heibert, "Fear and Loathing in Pyongyang", *op. cit.*, p.16.

⁴⁸ Martin Falker, "America's Trump Card", *Far East Economic Review*, 15 May 2003, pp. 12-14.

targeted effectively because they are clandestine and reliable information is scarce.⁴⁹

If it comes to an armed conflict, the US estimates that DPRK's mammoth ground, naval and air force with 3,700 tanks, 13,000 artillery pieces, Russian fighter aircraft, submarines and frigates will pose serious resistance. The country has 200-300 long-range guns and multiple rocket launchers positioned to deliver a barrage against Seoul. Pyongyang could use hundreds of its Scud missiles to pound airfields and seaports to disrupt air operations and efforts by the US to send reinforcements.⁵⁰ Pyongyang has reasonably capable air defence, including Mig-29 fighters, SA-2 and SA-5 surface-to-air missiles, and a large quantity of Anti-Aircraft Artillery (AAA). It had some 500 to 600 Scud missiles that could target throughout ROK with conventional warheads or chemical weapons, and can also hit Japan by 100 Nodong missiles.⁵¹ A pre-emptive strike by DPRK, though not unthinkable given the unpredictability of Pyongyang regime, however, is unlikely because Kim must know that it would signal the end of his regime. He is, after all, using brinkmanship to try and get Washington to the negotiating table to sign a peace treaty and supply his country with vital aid and trade.⁵² On the flip side, the world community is more united over the DPRK issue than it was over Iraq. The specialists on DPRK believe that there is room for negotiations. The DPRK regime is neither irrational nor crazy, but rather has a distorted worldview and warped expectations about how countries respond to its actions.⁵³

The stalemate, on the other hand, could lead to both the parties, DPRK and US, drawing similar conclusions; that the other is not serious in negotiating. At this stage it is worth looking at the psychological aspect and the relative perceptions of the two sides. The US never accepted the idea of allowing DPRK to possess nuclear weapons, fearing that this would encourage it to invade ROK playing the nuclear card to deter US intervention. DPRK's ultimate fear is a US invasion or aerial attack designed to overthrow the regime of Kim Jong Il and the ruling Korean Workers Party (KWP).⁵⁴ The DPRK leaders foster insecurity towards the US and are offensive to any kind of coercive manoeuvres. In an unusual letter to the UN on July 1, 2003 the DPRK army said that any sanctions or blockade orchestrated by the US would be a

⁴⁹ Nina Hachigian, "A Limited Success", South China Morning, 3 September 2003, also published by RAND, <www.rand.org/commentary/090303SCMP.html>.

⁵⁰ Gordon Fairclough, "A flawed but formidable foe", *Far East Economic Review*, 15 May 2003, p.16.

⁵¹ Philip C. Saunders, "Military Options for Dealing with North Korea's Nuclear Program", published by Monterey Institute of International Studies, 27 January 2003, <www.cns.miis.edu/research/korea/dprkmil.htm>.

⁵² John Larkin and Murray Heibert, "Fear and Loathing in Pyongyang", op. cit., p.16.

⁵³ Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly," op. cit., p.80.

⁵⁴ Yoel Sano, "Talks aside, North Korea won't give up nukes", op. cit.,

“complete breach” of the armistice that ended the 1950-53 Korean War. It warned of immediate “merciless retaliatory measures” and horrible disaster for the people of ROK. The existing international law can help tackle Pyongyang’s activities but the major problem is that intercepting ships and aircrafts in international waters or airspace is prohibited.⁵⁵

In the meeting between a US team led by James Kelly and DPRK negotiators in October 2002, the DPRK delegation reportedly told the US team that they had something even ‘stronger than nuclear weapons’. According to the perception of the US analysts they were alluding to the chemical and biological weapons. Although the analysts had their doubts about the likely meaning of the statement yet despite the potential significance of a possible veiled DPRK threat to use chemical and biological weapons it took US officials weeks or months to clarify the meaning of the DPRK delegation’s statement by speaking with foreign envoys and the ROK government. This misunderstanding is likely what damaged the credibility of Washington’s threat assessment in Seoul.⁵⁶

Beijing worries that DPRK nuclear weapons would create a security context in which Japan or Taiwan might be able to justify pursuing their own nuclear deterrents. Though rejecting the US democratisation agenda and the use of US military power to effect change, China sees the nature of the current regime in Pyongyang as part of the problem. China like the US believes that an economically developing and more open DPRK would shed its confrontational posture and lose the appetite for nuclear weapons. Yet this broad based support for an agreement still does not seem enough to enable DRK to sign an agreement. Worse still, allowing the negotiations to collapse because these goals prove unattainable may foreclose an agreement that would in fact serve the US interests, indeed one that would serve what should arguably be the top US priority -- reducing the risk that DPRK can become a facilitator on nuclear terrorism. The chief danger from the DPRK nuclear programme is the prospect that it might yield a large enough surplus of radioactive materials, which might be passed on to any terrorist or rogue elements, undetected by the DPRK.⁵⁷

The Chinese Foreign Minister Wang Yi, head of the Chinese delegation, said the nuclear issue must be resolved peacefully. He noted that the conclusion of the non-aggression treaty should be settled through the DPRK-US talks and the issue of denuclearisation of Korean peninsula and security

⁵⁵ David Lague and Murray Heibert, “Pressure Politics”, *Far East Economic Review*, July 17, 2003, op. cit., p.22.

⁵⁶ Daniel A. Pinkton and Philip C. Saunders, “Seeing North Korea Clearly”, op. cit., p.82.

⁵⁷ Avery Goldstein, “The North Korean Nuclear challenge And American Interests: Getting The Priorities Right,” 7 November 2003, Policy paper published by the Nautilus Institute, <[www.nautilus.org/for a/security/0344_Goldstein.html](http://www.nautilus.org/for_a/security/0344_Goldstein.html)>.

concerns raised by DPRK should be resolved simultaneously.⁵⁸ Although China might initially support a policy of economic pressure, Beijing is afraid that it will face a massive influx of refugees across Yalu river should DPRK collapse. To prevent such an eventuality Beijing will ultimately allow fuel and food sanctioned or unsanctioned to move across its border with the North. Similarly, ROK, which also wants to avoid a massive influx of refugees, is unlikely to support a sustained, infinite policy of squeezing the DPRK.⁵⁹ The trust towards US decision-making is decreasing in ROK and they consider US President Bush as a greater threat to peninsular security than Kim Jong Il.⁶⁰

Japan would prefer a gradual diplomatic approach that avoids a military confrontation. There can be no normalisation of relations between Japan and DPRK until DPRK itself resolves the many problems that it has caused, for instance the abduction of Japanese, development of nuclear weapons and missiles, spy boats, narcotics smuggling etc. There is a common consensus in Japan that the DPRK nuclear issue must be multilateralised, however, Japan is concerned about the UN sponsored sanction on DPRK because it could lead to an irrational response from DPRK. Japan also wishes to join the “Five Plus Two” mechanism to discuss DPRK nuclear-related issues along with South Korea and the UN Security Council’s Permanent five member countries. This is a shift from the previous thinking of initiating a combined missile programme with the US, as a reaction to the Taepodong missile test by DPRK in 1998.⁶¹ Though it may be domestically controversial, Japan joining the missile race by acquiring two-stage missile system, Standard Missile (SM-3), for first-stage interception or the PAC-3, second-stage interceptor systems would have serious implications on the Chinese security perceptions. This would be irrespective of the fact that the DPRK’s Nodong missile would take approximately 10 minutes to hit Japan, whereas the interceptor systems could take more than 30 minutes for the Japanese Security Council to authorise the defence mobilisation.⁶² A possible crisis of such a magnitude, leading to a missile imbroglio would leave less bargaining time for actors like US, China and Russia to act rationally.

One advantage of multilateral format is that a package deal that includes other parties would make it easier for the US to disguise any concessions that might otherwise appear to reward DPRK. North Korea might

⁵⁸ “DPRK puts forward “Package Of Solutions” to Nuclear Crisis”, *Korean Central News Agency*, 29 August 2003, special report published by the Nautilus Institute.

⁵⁹ James T. Laney and Jason T. Shaplen, “How to deal with North Korea”, *Foreign Affairs*, March /April 2003, op. cit. pp.26-27.

⁶⁰ David Scofield, “Korean peace requires US compromise, troops exit”, *Asia Times Online*, 8 March 2004. <<http://www.atimes.com/atimes/printN.html>>

⁶¹ Katsu Furukawa, “Japan’s view of the Korean Crisis”, Center for Nonproliferation Studies, Monterey Institute of International Relations, 25 February 2003, <<http://www.cns.miis.edu/research/korea/jpndprk.htm>>.

⁶² “Japan’s Recent Step-up in Missile Defence”, Special report published by the *Center for Defence Information*, 10 October 2003.

settle for an agreement acceptable to China and ROK but unacceptable to the US causing tension and disunity among other parties. Seoul seeks a negotiated settlement that would remove the DPRK nuclear threat, but is reluctant to pressure Pyongyang to the point where regime might collapse or lash out militarily. China would consider a negotiated settlement that encourages DPRK to adopt economic reforms and improve relations with its neighbours.⁶³

Options for Missile Control

Another option to engage with DPRK could be the reinvigoration and implementation of the missile control regimes. Both the existence and limits of international regimes seems to have helped DPRK's nuclear diplomacy. The NPT gave DPRK two unique opportunities to exercise time pressure on the US. The Article X of the treaty was of importance, which allowed its signatories to withdraw from the treaty three months after notice of such withdrawal, and provided that conference should be convened in 1995 to decide whether the treaty should continue in force indefinitely, or should be extended for an additional fixed period.⁶⁴ During the crisis DPRK seemed to have been exercising the 'rationality of irrationality' in crisis bargaining. Denny Roy, an analyst on DPRK bargaining tactics suggested that DPRK leaders seemed to have used 'madman' tactics in that they depicted themselves as irrational and dangerous in order to keep the other side on the defensive and put themselves in an advantageous position.⁶⁵

If the ultimate goal of working through missile non-proliferation regimes to finally develop the agreed international norms and mechanism covering missile production, transfer, testing and deployment, the ultimate diplomatic means would presumably be full-fledged legally binding treaty. A number of general factors would first need to be reviewed, relating to the scope of any measures either comprehensive or partial. The three areas that would require attention are geographic coverage, functional coverage and technological coverage. The geographic coverage would be an assessment of the new member country to be included. The functional coverage would require the definition and delineation of the activities that are to be prohibited, and the technological coverage would describe the technologies to be excluded.⁶⁶ However, a

⁶³ Phillip C. Saunders, "What to Expect from the Six-Party Talks on the Korean Nuclear Crisis", published by the Centre for Nonproliferation Studies, August 25, 2003, <www.cns.miis.edu/pubs/week/030825.htm> op. cit.,

⁶⁴ Narushige Michishita, "North Korea's 'First' Nuclear Diplomacy", *The Journal of Strategic Studies*, vol.26, no.4, December 2003, op. cit., pp.65-66.

⁶⁵ *Ibid.*, p.66.

⁶⁶ Robert McDougall, "New Approaches to Combatting Missile Proliferation", in *Missile Proliferation and Defences: Problems and Prospects*, Occasional Paper no. 7, Published by Centre for Nonproliferation Studies, Mountbatten Centre for International Relations, California, May 2001, p.29.

comprehensive and universally applicable strategic approach is needed in addressing the missile proliferation problem. Consideration can be given to approaches that have featured in various combinations in the previous non-proliferation, arms control and disarmament (NACD) arrangements including non-proliferation, arms control, disarmament, norm building measures, verifying and monitoring incentives, security assurances, consultative mechanisms and negotiation mechanisms⁶⁷.

The Way Forward

A prolonged confrontation will sap the US and global appetite for another battle. Sitting tight while bracing for possible conflict -- increases Kim's chances of forcing the US into a deal.⁶⁸ Philip Saunders, considers that DPRK may be ready to cap its nuclear programme while keeping a couple of bombs as an assurance policy, but that might not be good enough for the Bush administration.⁶⁹ Successful reforms and integration into international economy will give DPRK a greater stake in the international system and might facilitate the gradual unification process, as hoped by the ROK. Economic integration with the outside world could also be a binding mechanism to help ensure Pyongyang's commitment to any future arms-control agreements.⁷⁰ In the joint communiqué, in the year 2000, the DPRK government renounced terrorism and agreed that 'terrorism should be opposed in all its forms, including terrorist acts involving chemical, biological or nuclear devices or materials. In November 2001, DPRK signed two UN anti-terrorism conventions, and subsequently expressed a willingness to sign five additional conventions. Although DPRK's economic problems give the regime strong economic incentives to sell nuclear materials and technologies, no one has produced evidence to suggest that Pyongyang has ever attempted to sell nuclear materials to terrorist groups. The rogue state construct and 'axis of evil' formulation have proved useful to the Bush administration in mobilising domestic public support for aggressive efforts to attack terrorist groups and to improve US defences. This strategy, however, has the potential to arouse international opposition and cause the US to miss potential opportunities such as the DPRK's efforts to reposition itself in the war on terror.⁷¹

Several strategies that could work together and help negotiations have been brought forward. The 'Ice-breaker' proposes a series of small but important steps forward, mutually reinforcing efforts to make further negotiations possible. As a confidence building measure an unofficial emissary

⁶⁷ Ibid., pp.31-32.

⁶⁸ John Larkin and Murray Heibert, "Fear and Loathing in Pyongyang", *op. cit.*, p.16.

⁶⁹ Murray Heibert, "Decision Time Looms Over North Korea", *op. cit.*, p.14.

⁷⁰ Daniel A. Pinkton and Philip C. Saunders, "Seeing North Korea Clearly", *op. cit.*, p.86.

⁷¹ Ibid., p.90.

like General Davis could initiate a Joint Recovery Operation for missing-in-action US-DPRK, congressional delegation, which has been discussing issues like the recovery of USS Pueblo. Similarly, the key steps to follow could be the renewal of humanitarian aid, introduction of a high level, bipartisan point person with direct access to the US President to develop and articulate the policy towards DPRK, de-listing of the DPRK from the 'terrorist state' status and bringing in developmental aid through multilateral channels. If DPRK is willing to engage with the US on a multilateral forum, countries like Australia, Great Britain and even Sweden that had a neutral role in the Korean Armistice can move along with the plan of negotiations. In the initial phase of such negotiations the focus could be on the energy and economic assistance supply to DPRK and later on the talks could focus on critical issues like plutonium processing, since this issue will have to be dealt with at some point. The Precision Guided Markets take an economic approach, whereby the economic costs of DPRK pursuing its confrontational policies would be highlighted and the benefits of engaging to gain economic assistance would be presented. This policy emphasises the need to de-politicise humanitarian assistance. Basic aid to DPRK should be expanded even before it decides to abandon its nuclear ambitions. Global Overreach looks to DPRK crisis as a key stepping stone for the further development of a global 'Civil Society' response to international conflict. The concerns in such a strategy are that the current US administration needs to tone down their demand of DPRK completely backing down from its demands, and the second consideration of China as a significant strategic challenge facing the US and the fact that the solution of US-DPRK crisis is likely to reflect the strategic concerns regarding this bigger issue. There is also a need to address the issue of plutonium for the use of dirt bombs or 'plutonium pineapples' as they are termed. Before the DPRK exports or is suspected to have exported plutonium -- the US would be in a position to make a unilateral declaration, that if DPRK exports plutonium, then it will act decisively. Accordingly the US would then work with partners especially China and Russia to seek alignment. The next step would be to work with the UN to develop a general policy about exports.⁷²

The alternate coercive option for the US if it decides to abandon negotiations and escalates, is the imposition of a strict set of sanctions against Pyongyang that includes economic and political isolation combined with military quarantine tightly controlling what flows in and out of DPRK. Although less provocative than preventive military attack, effective sanctions would bite deeply and raise the risk of an unpredictable reaction from DPRK. While it seems even more unlikely that Pyongyang will opt for suicidal military

⁷²*A Korean Krakatoa? Scenarios for the Peaceful Resolution of the North Korean Nuclear Crisis*, Report published by the Nautilus Institute, August 2003, <www.nautilus.org>, op. cit.,

action as a response to sanctions than to attack, the small possibility of spiraling tensions that produces an unlikely outburst remains a concern. Another possible outcome of the current crisis could be a negotiated agreement. To serve the US interests, such a deal could not simply be a reprise of the 1994 agreed framework. Technical solutions like challenge inspections, as have been suggested, can increase confidence about compliance. However, the US demand of unfettered free access to any facility might not be acceptable to DPRK.⁷³

In addition to the resumption of talks with the US and Japan, the DPRK has since 2003 taken some positive measures to reduce tensions. Reestablishing the road and rail links with ROK, demining the DMZ, resuming confidence with ROK by sending 600 athletes to Pusan for the Asian Games, enacting a series of marketing reforms are some of the confidence building measures. Equally important, Pyongyang seems to have abandoned its policy of playing off Washington, Seoul and Tokyo, against one another, by addressing the concerns of one while ignoring those of the other two. To those who think they can outwait Pyongyang by isolating it or pressuring it economically, are likely to be proven wrong. It would be a mistake to underestimate the loyalty of the North Koreans to their leader Kim Yong Il, since they are fiercely independent people and have endured many economic hardships in the past. Their ideology is not only political it is quasi-religious.⁷⁴ When provoked they would resort to extreme measures. If the DPRK leaders expect external threats in future, missiles would be their guarantee of security. On the contrary a reduction in the intensity of the external threat would decrease the utility of the ballistic missiles. Similarly, expanding the missile development programme in a threat environment would reduce the domestic political costs for leadership even though it would require greater resources.⁷⁵

There has also been the proposal of the Ukrainian solution, where it gave up some 1900 former Soviet warheads in exchange for security assurances, economic support and energy assistance.⁷⁶ Voluntarily giving up its nuclear, chemical and missile programmes and by providing exhaustive access to information, facilities and personnel is something that cannot be expected from DPRK, although after Libya it would be the minimum that the US would be

⁷³ Avery Goldstein, "The North Korean Nuclear Challenge And American Interests: Getting The Priorities Right", November 7, 2003, Policy paper published by the Nautilus Institute, <[www.nautilus.org/for a/security/0344_Goldstein.html](http://www.nautilus.org/for_a/security/0344_Goldstein.html)>, op. cit.

⁷⁴ James T. Laney and Jason T. Shaplen, "How to deal with North Korea", *Foreign Affairs*, March / April 2003, op. cit., pp.16-17.

⁷⁵ Daniel A. Pinkston, "Domestic politics and Stakeholders in the North Korean Missile Development Program", *The Nonproliferation Review*, (Summer 2003), op. cit., p.7.

⁷⁶ Peter Hayes, "Bush's Bipolar Disorder and the Looming Failure of Multilateral Talks With North Korea", *Arms Control Today*, October 2003, <http://www.armscontrol.org/act/2003_Hayes_10.asp>, op. cit.,

expecting.⁷⁷ In a realistic perspective, the US basically has four options: using military force to attack DPRK's nuclear infrastructure, mobilising international pressure, waiting DPRK out and negotiating.⁷⁸ If DPRK has decided that nuclear weapons are essential to its security then it might not be possible to achieve an agreed settlement. To be able to agree on a settlement which ensures DPRK's security and sovereignty; it would be essential for the US to give adequate credence to DPRK's nuclear capability and delivery systems and negotiate accordingly. On the other hand if DPRK wishes to keep its nuclear weapons and still desire peaceful relations with the US, Japan and ROK it would mean moving back to square one; so a settlement essentially has to be a result of both parties, which implies, moving ahead in view of new strategic realities.

Trying to topple the Kim regime has been proposed. This is seen as imposing sanction through the UN in a joint effort with China, South Korea Japan and Russia. Asking China, which has been DPRK's top ally, to go further, would likely prove difficult. Similarly, even if the objective is regime change, President of ROK, Roh Moo Hyun, before his impeachment, showed his apprehensions about the idea of a regime change. He considered that even if it was feasible, the costs and sacrifices that might be entailed must also be considered. President Hyun felt that he could convince President Kim about maintaining US troops in the ROK since Mr. Kim had agreed to the fact that we need US troops on the Korean peninsula, even after unification. Resorting to pressure tactics may have a spill-over effect to military action, which does not erode the moral principles or dignity of the US. But resorting to force or using the military options can result in a very dangerous situation for those who live on the Korean peninsula. On the other hand the ROK President felt that the current belligerent attitude of DPRK was hard to understand but it will not stick to it forever.⁷⁹ The biggest obstacle to imposing sanctions would most likely come from South Korea and China, who have been reluctant to endorse moves that would destabilise DPRK. The task of enforcing sanctions would fall disproportionately on China, which shares a land border with DPRK and is one of the two transit countries for all the air and land travel to and from DPRK, and is also the largest supplier of food in addition to fuel to DPRK.⁸⁰

⁷⁷ Jon Wolfthal, "Great Distance but Great Impact: Pakistan and Libyan Developments Affect North Korean Nuclear Issue", *Munhwa Ilbo*, 25 February 2004, published by Carnegie Endowment for International Peace, <<http://www.ceip.org/files/Publications/greatdistancebutgreatimpact.asp>>.

⁷⁸ Phillip C. Saunders, "Confronting Ambiguity: How to Handle North Korea's Nuclear Program", *Arms Control Today*, March 2003, <http://www.armscontrol.org/act/2003_03/saunders_mar03.asp>

⁷⁹ "The President Counsel Patience", Interview with the *Far East Economic Review*, 22 May 2003, p.16-17.

⁸⁰ Murray Heibert, "Decision Time Looms Over North Korea", op. cit., p.13.

The pending problems included the handling of diplomatic pouches, agreements for supplying and supporting the US office in Pyongyang, and DPRK's inability to find an appropriate office in Washington DC. After the US-DPRK joint declaration was issued the US-ROK relations started to deteriorate. Although ROK was seeking a negotiated settlement of nuclear issue, it was reluctant to see improvement in the relations between the US and DPRK with Seoul on the sidelines. In the current crisis, so far there is no indication that DPRK's political objectives have changed significantly since 1994. Regime survival by means of normalising relations with the US and obtaining economic assistance from abroad is still its primary goal. In its October 2002 proposal to conclude a 'non-aggression treaty' with the US, the DPRK government announced that it was ready to seek a negotiated settlement of the nuclear issue if the US recognised its sovereignty, assured DPRK of non-aggression, and did not 'hinder the economic development of DPRK'. DPRK's bargaining position has become stronger in some aspects but weaker in others. On the one hand, weaponisation of its nuclear materials seems to have advanced; the uranium enrichment programme has added to the plutonium-based programme; Nodong missiles have been deployed in large numbers; and Taepodong missile has been flight-tested. Uranium enrichment is also a very technical process. Autoclaves are used to turn uranium hexafluoride into gaseous form before being injected into the centrifuge. After the uranium is enriched in the centrifuge, desublimers convert the gaseous form back into a solid for further processing. It is unclear whether DPRK received such equipment from alleged Swiss firms clandestinely in 1986.⁸¹ On the other hand, the size of the DPRK economy has shrunk significantly; the country has become more dependent on economic and humanitarian aid from abroad, and its conventional military forces have weakened. DPRK's position is much weaker now than it was ten years ago. The economy has not improved and the conventional military arsenal is gradually becoming obsolete. The structural factors do not show a positive picture.⁸² Any concession by the US in negotiations would be a great confidence builder for DPRK and will help in avoiding the nuclearisation of the Korean peninsula.

Conclusion

If the resolution of the crisis through negotiations were in sight, the major countries in the region would be willing to play their parts. China and Russia would agree to support DPRK economically via investment. All other parties to the deal, US, ROK, Japan, would continue compensation to DPRK in return for ending its long-range missile programme. Finally, five years after the accord

⁸¹ Daniel A. Pinkston, "Collapse of the Agreed Framework", Report published by the Centre for Nonproliferation Studies, 28 October 2003.

⁸² Narushige Michishita, "North Korea's 'First' Nuclear Diplomacy", *The Journal of Strategic Studies*, vol.26, no.4, December 2003, op. cit., pp.71-77.

is signed, a Northeast Asian Security Forum, consisting of four major powers plus ROK and DPRK, is proposed to ensure long-term peace and stability throughout the region.⁸³ The US should insist on a verifiable freeze on DPRK's nuclear reprocessing during the negotiations in return; pledging not to attack DPRK. The negotiations would ease the growing split between the US and its allies and reduce DPRK's ability to escalate the crisis.⁸⁴ These have to be accompanied with reciprocal commitment by the US to be a part of the nuclear non-proliferation and missile control regimes.

As far as the nuclear programme of DPRK is concerned, it seems that it might not be ready to dismantle it and would most likely use it as a bargaining chip as long as its economy does not reach a sustainable condition. Obviously it is not only the job of the developed countries to fulfill the economic needs of DPRK but this cannot be denied that all the great powers that have been involved in South East Asia since the last fifty years, disassociated themselves from the intervention, war and economic sanctions that the Koreans collectively have had to bear. It seems that DPRK has learnt the lesson that it is only through building credible nuisance value, that the resolution of the crisis can be achieved. Considering this mind-set it is quite likely that if the crisis lingers on for a considerable period of time DPRK will move a step further and go for a limited nuclear option. ■

⁸³ James T. Laney and Jason T. Shaplen, "How to deal with North Korea", *Foreign Affairs*, March / April 2003, p.28.

⁸⁴ Phillip C. Saunders, "Confronting Ambiguity: How to Handle North Korea's Nuclear Program", *Arms Control Today*, March 2003,
<http://www.armscontrol.org/act/2003_03/saunders_mar03.asp> op. cit.,

IRAN: FOREIGN POLICY AND NATIONAL SECURITY

Muntzra Nazir*

The security of a state, especially that of a militarily weak state, largely depends on active diplomacy, management of geo-strategic factors to its advantage and an ability to respond to the changing environment. The foreign policy of a state reflects its expectations, capabilities, goals and fears. These factors impact not only on the foreign policy choices of individual states but the foreign patterns of other states with whom they interact.¹ A state pursues numerous goals, but all cannot be achieved at the same time.² The goals have to be prioritized with an emphasis on requirements of security and territorial integrity of the state.³

Numerous factors shape a state's foreign policy. These include 'the relatively permanent material elements (geography and national resources), less permanent material elements (industrial establishment and military establishment), quantitative and qualitative (population, leadership, ideology and information).⁴ Moreover, threat perceptions conditioned by geography, circumstances, historical experiences and ideological moorings, play a significant role in shaping the foreign policy of a state.

Since the Islamic revolution in Iran in February 1979, Islam dominates its national and foreign policies. Three additional trends could also be identified in its foreign policy outlook. These include 'anti-west especially anti-US disposition, non-aligned rather isolationism and excessive nationalism'.⁵ These trends, particularly the anti-US posture, were motivated by Iran's threat perception, i.e., the US is out to undermine the Islamic revolution in Iran. It apprehended US support to anti-Islamic revolution elements and conservative Arab regimes in the Gulf. The geo-strategic environment of Iran also had an impact on its foreign policy and security, as it is situated in a region characterized by a host of problems. Furthermore, the issue of oil intertwined

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¹ Barry Bazan & Gowher Rizwi, *South Asian Insecurity and Great Power* (London: The Macmillan, 1986) p. 5.

² Roy C. Macridus (ed), *Foreign Policy in World Politics* (Prentice Hall International, Inc, 1992) p. 2.

³ Ibid.

⁴ Ibid. p. 12.

⁵ Syed Farooq Hasnat and Anton Pelinka (eds), *Security for the Weak Nations* (Lahore: Izharsons, 1986) pp 134-135.

With the above-mentioned factors complicated the scene.⁶

In the immediate aftermath of the Iranian revolution, Iran entertained a strong distrust of, and hostility towards the United States. The close association of the ousted Shah regime with the US was the major factor behind this policy. Since then the hostility and mutual antagonism between the US and Iran have been a persistent feature of Iran's foreign policy. This was the major contributory factor to shaping Iran's security threat. Furthermore, Iran's strong desire in the initial years of the revolution to export its Islamic revolutionary ideology to the neighbouring Gulf States created mistrust and antipathy between Iran and regional states.

The end of cold war era did not bring about any significant change in Iran's foreign policy, as it had not aligned itself with any super power. It had pursued a policy of equal distance from the two super powers, although Iran was more critical of the US. However, the end of bipolarity in International relations left the US in 'an unbalanced super power position.' The US was no longer restrained from pursuing its interests. This enhanced the security risks for Tehran, forcing it to change its foreign policy from an assertive to a defensive one and turning more isolationist in character. The issues and conflicts in the region also contributed to its security problems while their relations remained tense. Following the occupation of Iraq by the US led allied forces in 2003; Iran perceived more threats from the changed regional situation especially the US military presence in the neighbourhood. This paper attempts to analyze the issues and problems of Iranian security with reference to the changing regional and international environment. It will also examine Iran's foreign policy and security perceptions, and how have these changed over time.

The Middle East and Iran

The Gulf region, in which Iran is situated, is characterized by a number of inter-related factors. The states in the region have unresolved border disputes, ethnic conflicts and internal power struggles. Religion plays a significant role in their politics and society. Nevertheless, three main 'sets of conflicts or security complexes' have long been playing a major role in threatening the stability of the region. They are: the 'Arab-Israel conflict, the Arab-Iran conflict and intra-Arab conflict.'⁷ These conflicts coupled with poor socio-economic and political conditions of the region cause serious threats to stability in the region.

In the initial years of Islamic revolution, Tehran's zeal for export of the Islamic revolution in the Gulf region adversely affected relations with the Gulf States. This had implications for regional security. However, the situation

⁶ Roy C. Macridus, op. cit, p. 358.

⁷ Nazir Hussain, "Pak-Iran relations in post- 9/11 period: regional and global impact", *Regional Studies*, vol. XX, no.4 (Autumn 2002), p. 51

improved considerably after the revolutionary zeal cooled off in the early 1990s, starting soon after the demise of Ayatollah Khomeini in June 1989.

'Islam' was the main determinant of Tehran's foreign policy in the early years of the revolution. The Iranian leaders sought to 'export' their Islamic revolution by openly questioning the political order in the neighbouring Muslim states, which they described as 'un-Islamic'. They supported various anti-government organizations and insurgencies in the region. Accordingly, Iran supported a coup attempt by 'Islamic Front' in Bahrain in 1981. The Gulf states held the pro-Iranian revolutionary elements responsible for the bombings of Americans and French embassies in Kuwait in 1983. The incidents were interpreted as Iran's efforts to export the ideology of Islamic revolution to other countries of the region.⁸ The demonstrations staged by Iranian pilgrims in Saudi Arabia during the holy occasion of 'Haj' in mid-1980s against the Saudi rulers and western interests in the region were meant to challenge the conservative Arab regimes in the region. The demonstrations led to violent clashes between the demonstrators and security guards in 1987. It is said that 400 people were killed in the incidents, straining relations between Iran and Saudi Arabia and exacerbating tension in the region.

Iran-Iraq relations deteriorated after the Islamic revolution in Iran on the question of sovereignty over the Shatt al Arab. The situation worsened when the Iranian media encouraged revolt among the Iraqi Shias against the Saddam regime. These developments contributed to undermining Iran-Iraq relations and significantly influencing Iraq's decision to start the eight-year Iraq-Iran war (1980-1988). The war caused Tehran the loss of thousands of its citizens due to Iraqi chemical-weapon attacks. Several Arab states supported Iraq in the name of Arab nationalism, despite its atrocities against the Iranian civil population. Their main objective was to contain Iran's efforts to expand its sphere of influence in the region. The war sharpened the political conflicts between the neighbouring Arab states and Iran because the former played up Arab nationalism vs. Iranian Islamic Revolution. This resulted in the further loss of trust between Iran and the Gulf States. Iran's troubled relations with the US also contributed to straining relations with pro-US Saudi Arabia, Bahrain and Kuwait.⁹

However, the situation improved markedly after the demise of Ayatollah Khomeini in June 1989. The Iranian political leadership decided to move away from the policy of 'confrontation' to a policy of 'engagement' and cooperation. It made concrete efforts to patch up its differences with the Arab world. Its efforts were aimed at pulling Iran out of 'isolation'. The international environment also facilitated Iran's overtures towards rapprochement, as Iraq's

⁸ Dr Iffat Malik, "Role of Islam in Post Revolution Iranian Foreign Policy", *Strategic Studies*, vol. XX, (Autumn 2000), no. 4, pp. 130-131.

⁹ *Ibid*, p 130.

invasion of Kuwait in August 1990 made the international community view Iran as a more stable and responsible state.¹⁰

Iran's policy of reconciliation and engagement helped to improve relations with Saudi Arabia, Jordan, Qatar, Oman, and Kuwait. In February 1998, Iranian President while paying an official visit to Riyadh stated that 'we look to Saudi Arabia as the *qibla* (prayer direction) for all Muslims and as the cradle of Islam.' The statement was to accept the Saudi position as sole guardian of Islamic holy shrines of Makkah and Medina. Iran sought to establish economic and military ties with these countries to rebuild its economic and military power in the aftermath of the devastating Iran-Iraq war. It, also attempted to cultivate strategic ties in the region. The security agreement signed between Saudi Arabia and Iran in April 2001 was an indication that both states sought active cooperation towards developing bilateral relations and on issues related to security and stability of the region.¹¹ Though Iran continued to make an issue of US military ties with Saudi Arabia, it worked towards improving its relations with the pro-US Gulf states, especially Saudi Arabia. Iran adopted a moderate and pragmatic approach by not insisting on the withdrawal of US forces. However, the rapprochement policy had been far less effective towards Egypt as no formal diplomatic links between the two countries were established. Iran did not approve Egypt's peace agreement with Israel that extended recognition of Israel by Egypt. Apart from Israel-Egypt peace agreement, Egypt's desire to play a leading role in the region was also questioned by Iran given its pro-US and pro-Israel disposition. Iran's relations with the UAE also showed some improvement and the two states increased their trade. However, the dispute between the UAE and Iran on the sovereignty of three small islands is not yet settled.¹² On the whole, the relations between Iran and Arab countries improved considerably.

Iran and Big Powers

In the immediate aftermath of the Iranian revolution, Iran's main foreign policy slogan "neither west nor east" shaped its policy towards the major powers. It emphasized staying at a distance from the two super powers and opposition to their global policies. Iran's foreign policy assumed an 'isolationist' character, although the anti-US streak was very conspicuous. Various factors contributed towards Iran's anti-US disposition.

¹⁰ Ibid, p 137.

¹¹ Dr Syed Salahuddin Ahmad, "Iran's foreign Policy Revisited", *National Development & Security*, vol VII, no. 2, (November 1998), p 88.

¹² "New Political Current in Iran", *Strategic Survey (1997/1998)*, p. 88.

It may be recalled that Iran's cordial and intimate relations with the US had come to an abrupt end with the fall of the Pahlavi regime in 1979. Since then relations between the two countries have been marred by mutual distrust, suspicion and open hostility. The fall of Shah, a key US ally in the region, was a severe setback to the United States, which had opposed the Islamic revolution in Iran. It supported the efforts to overthrow the Islamic regime in Iran 'as exemplified by the large amount given to the CIA to support for anti-regime activities.'¹³ It provided support to the anti-Islamic revolution elements in Iran and conservative Arab states which resisted Iran's efforts to export Islamic revolution. In its bid to contain Tehran, the US administration froze Iranian assets in the United States, including the amount paid by Shah for weapons procurement.¹⁴ It actively pursued the policy of isolating Iran internationally especially after the seizure of the American Embassy by the Iranian Islamic guards in November 1979. The hostage crisis was resolved in January 1981. This incident, however, left an indelible negative impact on US-Iran relations. These relations further deteriorated when the US decided to support Saddam Hussein in the Iran-Iraq war for understandable reasons. The US Administration wanted Saddam Hussein to inflict a heavy blow on the incipient Iranian revolution. In 1984, the US placed Iran on the list of states sponsoring terrorism.

In 1990-91, with the end of cold war, the bipolar International system gave way to a unipolar world with the US at the top. In the new international context, the US emerged as the unilateral, military-political super power. Though the end of the bipolarity did not directly weaken or improve Iran's international position, the 'unbalanced great power position' of the US, led Iranian policy makers to review their policies in the changed international context. The leaders continued to reject official dialogues with the US, but began to realize the impending need of engaging US economically. Rafsanjani acknowledged that 'Iran has never banned economic cooperation with the US'.¹⁵ However, the Clinton administration continued to insist on an official dialogue with Iran 'as a prelude to progress on a range of bilateral issues'.¹⁶

The focus of the US criticism of Iran was mainly on (a) Iran's alleged support for terrorism, (b) the nuclear programme, (c) its opposition to the Middle East peace process. These issues contributed much to the US perception of Iran as the 'strongest of the potentially hostile powers' in the Gulf region, which threatens its interests in the region and elsewhere.¹⁷

¹³ <www.gwu.edu/~nsarchiv/NSAEBB/NAEBB21>.

¹⁴ Ibid

¹⁵ IRNA, 15 April 2002.

¹⁶ For details see, Ray Takeyh, "Re-imagining US-Iran relations", *Survival*, IISS quarterly, vol. XLIV no. 3, (Autumn 2002).

¹⁷ Birthe Hansen, *Unipolarity and the Middle East*, Surrey: Curzon Press, 2000, p 195.

Terrorism

The US charges that “Iran is the most active state sponsor of terrorism.” Until 1993, Iran had been frequently blamed for assassinating political foes. It was blamed for the killing of Kurdish opposition leader in Germany in 1992 and a former Iranian diplomat and opposition leader in Rome in March 1993. Although Iran denied responsibility of these killings, the International community held Iran responsible for these incidents. The Iranian government was also accused of harassing the members of the Mujahideen-e-Khalq, a Marxist oriented organization that supported the Islamic revolution but developed serious differences with the post-revolution Islamic government in Iran. Its activists fled to Iraq, France and some other countries. The organization organized armed actions in Iran for overthrowing the Iranian government but did not succeed. The US government accused the Iranian government of persecuting the supporters of the Mujahideen-e-Khalq still left in Iran. However, some activists of this organization also targeted US interests. In October 1997 the US administration declared it as a terrorist organization.

The US also accused Iran of being involved in ‘planning, financing or controlling acts of terror’ in the other countries. It was charged with being associated with the bombing of the US personnel’s quarters in Riyadh and Dhahran in November 1995 and June 1996 respectively. It was also maintained that rebellion in Bahrain had Iran’s backing. Another charge against Iran encompassed its support for a number of ‘violent opposition organizations such as Hamas and Hizbullah.’¹⁸ Iran, however, repeatedly denied these allegations. Former Iranian president Rafsanjani in his weekly public address complained that “everywhere there is a movement, the name of Iran and Islam is mentioned. The enemies even mention Iran’s name where Iran is not present.”¹⁹

The issue took a serious turn when in 1996, the US Congress gave the US citizens the right to sue foreign governments for civil damages in the US courts, if the concerned government was classified as the supporter of terrorism. In October 1998, another law passed by the Congress required the state and treasury departments ‘to assist victims of terrorism to locate money for judgment’.²⁰ Consequently, from 1998-2000, the US had ordered Iranian government to pay more than \$1.3 billion to affectees of Iranian terrorism. Iran, however, did not responded to any of these demands.²¹

¹⁸ Gary Sick, “Rethinking Dual Containment”, (*Survival*, Spring 1998), vol. XL, no. 1, pp. 14-15

¹⁹ Ibid, p. 15

²⁰ For details see, Gawdat Bahgat, “The Future of US-Iran Relations”, *Journal of South Asian & Middle Eastern Studies*, vol. XXV, no. 2, (Winter 2002).

²¹ Ibid.

In the recent past, Iran attempted to reform its political image by trying to control 'intelligence operations, foundations and private revolutionary network'. But the US continued to pursue a policy of hostility and containment towards Iran, which strengthened the conservative elements who saw such efforts as 'futile and humiliating'.²²

Weapons of Mass Destruction

In the post-cold war era, the US has been constantly expressing increasing concerns over the issue of proliferation of weapons of mass destruction (WMD)--nuclear, biological, and chemical and missile technology having the capability to carry these weapons. WMDs have been perceived as a potential threat to US and global security. The US accused Iran of making secret efforts to acquire weapons of mass destruction.

Iran initiated its nuclear programme with the US backing in the pre-revolution period. Both countries signed an agreement for nuclear cooperation as part of their atoms of peace programme. Their cooperation in the nuclear field came to an end with the Islamic Revolution in Iran in February 1979. Initially the post-revolution Iranian leadership decided to abandon the nuclear programme. Khomeini's verdict that possession of such 'indiscriminate weapons were against the spirit of Islamic injunctions' was a decisive factor in this regard. This position was maintained during the Iran-Iraq war.²³ After Khomeini's death, the policy was reviewed in the face of Iraq's continuing efforts to have WMDs, which were viewed as a threat to Iran's security. The Iranian government decided to revive the nuclear programme. But the US pressure thwarted Iran's efforts to build nuclear power under US relentless pressure:

“Germany repeatedly refused Iranian requests, starting in 1984, to complete the Bushehar nuclear power plant begun by the Shah;

Argentina refused to supply Iran with nuclear-fuel fabrication and reprocessing technology and a 20-30 (MWt) research reactor in 1987

China refused to supply Iran with a 30 (MWt) reactor in 1990 and a uranium hexafluoride conversion plant in 1998;

India refused to supply Iran with 10 (MWt) nuclear research reactor in 1991; Russia declined to transfer a gas centrifuge-enrichment facility or a 30 (MWt) research reactor in 1995 that it had previously promised to Iran.”²⁴

²² Gary Sick, op.cit, p. 16.

²³ Ibid.

²⁴ Michael Einstadt, “Living with a nuclear Iran”, *Survival*, Autumn 1999, vol/ XLI, no. 3, p. 141

However, Russia later in October in October 2001, agreed to deliver a research reactor for Bushehr nuclear power plant. It also made \$7 billion arms deal with Iran, strengthening Iran-Russia military ties.²⁵ Meanwhile, Iran developed its capability to build missile technology. It successfully tested Shehab missiles in 2000 and subsequently in May 2002.²⁶ Furthermore, Iran was alleged to be seeking 'production technology, expertise and precursor chemicals from China and Russia 'entities' to build the chemical warfare infrastructure.²⁷ But Iran had consistently denied that it had any interest to build nuclear, biological and chemical weapons. It was signatory of the NPT, and it pointed out on many occasions that inspectors of IAEA had never found any clue that Iran was developing non-conventional weapons. But US continued to claim that Iran was 'clandestinely' pursuing efforts to achieve nuclear, biological and chemical weapons capability. In 1990, the placed various sanctions on Iran to press it to abandon its nuclear policies and also sought to convince other countries to follow the suit. Consequently, it succeeded in pressing the European allies and different multilateral lending institutions, not to lend soft loans or credits to Iran.²⁸ It also sought to penalize the 'entities' allegedly providing support to Iran's nuclear programme. In 1999, it imposed sanctions on seven Russian companies, which it believed, were supporting Iran's nuclear intentions. This large gap of mistrust between the US and Iran in regard to WMDs contributed much to undermine the efforts to improve relations between the two countries, threatening regional stability.

The Palestinian Issue

Iran actively supported the Palestine cause against Israel. Iran's support to the Palestinian cause is based on ideological and humanitarian considerations. The Iranian leadership viewed the Palestinian conflict as a conflict between Islam and Zionism.²⁹ Therefore, Iran perceived the support for Palestinians and opposition to the Zionist entity as its 'Islamic obligation'. Moreover, it views Israel as 'usurper', occupying Palestinian land and inflicting atrocities on Palestinians. In addition, Iran's animosity towards the US influenced its approach towards the issue. Israel and the US were considered strategic allies in the region and it perceived Israel as an instrument for establishing American hegemony in the region. Any peace process facilitated by the US was seen as a ploy to safeguard the American and Israeli interests in the region. Iran's hostile

²⁵ Kashif Mumtaz Ghumman, Iran-US Relations in the post 9/11 days: problems and prospects, *Strategic Studies*, vol. XXII, (Autumn 2002), no. 3, p. 176

²⁶ Ibid, p. 174.

²⁷ Bahgat, op. cit, pp. 68-80.

²⁸ Michael Eisentadt, op. cit, p. 140.

²⁹ Bahgat, op. cit, pp. 68-88.

attitude towards the Middle East peace process and support to Palestinian guerrilla groups, which attacked Israeli civilian and military targets drew sharp criticism from the US.

Iran initially extended active support to Palestine Liberation Organization (PLO). However, PLO's support of Iraq during Iran-Iraq war and its emphasis on 'Arab nationalism' led to Iran withdrawing its active support.³⁰ Since then, Iran though continuing to support the cause of Palestinians, sought to maintain its links with radical Palestinian groups like Hamas and Islamic Jihad. The Lebanese Shia group like the Hizbullah, which fought Israel for almost two decades had special relations with the Iranian leadership. Iran strengthened them with the aim of counteracting Israel. It also made an alliance with Syria, a frontline state against Israel.³¹

Initially, Israel attempted to maintain secret relations with moderate elements in the Iranian government. It even facilitated an arms deal between the US and Iran (Iran-Contra affairs) aimed at resolving the 'Lebanese hostage crisis' in 1983. Israel's strategy of seeking ways to mend relations with Iran was based on Ben Gurion's doctrine against Arabs that envisaged the total peace with Arab countries 'impossible'. Hence, Israel sought a strategic partnership with Iran in the region to secure its interests. But the initiation of the peace process in the Middle East in 1991 and the Madrid peace talks changed the scenario. The peace with Arabs was no longer an impossibility. Iran opposed the 'peace process', describing it as a futile attempt, which could not provide a just solution of the conflict. Iran believed that as a result of the peace talks, peace in the region would remain an illusion as these efforts were motivated by 'western interests' in the region.

Given Iran's persistent opposition to US sponsored peace between Israel and the Palestinians, Israel describes Iran as a state that sponsors terrorism and uses the powerful Jewish lobby in the US to block any effort for the improvement of Iran-US relations. It extensively blamed Iran for the 'proxy war' against Israel through the Lebanon based Hizbullah organization (an organization fighting against Israeli occupation of Lebanese territory). Iran refused to accept any of these accusations, though it never denied having relations with the Lebanese Shia community. Israel also expressed deep concern over Iran's nuclear and ballistic missiles programme.

Following the terrorist attacks in the US in September 2001, Israel accelerated its campaign against Iran, implicating it as the main supporter of 'terrorism'. In January 2002, Israeli commandos seized a boat allegedly carrying 50 tons of Iranian arms, enroute to the Palestinian authority. Israel readily condemned Iran for it. It blamed Iran for trying to escalate the Middle East

³⁰ Amir M. Haji Yousafi, "Foreign Policy of Islamic Republic of Iran towards Israel 1972-2002", *Strategic Studies*, vol. xxiii, (Spring 2003), no. 1, pp. 57-58

³¹ *Ibid*

conflict to a new level. The incident seemed to have a significant role in convincing Bush administration that Iran was an agent behind the terrorist activities in the region. In his first state of union address (January-March, 02) the US President placed Iran in the 'axis of evil' along with Iraq and North Korea. Israel kept urging the US for the regime change in Iran, even if it required the employment of coercive measures.

South Asia and Afghanistan

The South Asian region with India and Pakistan as the principal actors has always attracted Iran's attention. Iran has traditionally maintained good relations with India and Pakistan; the latter has generally enjoyed precedence in Iran's South Asia policy. Pakistan was the first Islamic country to recognize the Islamic Revolutionary government in February 1979.

Iran shares with Pakistan historical, religious, and cultural affinities. They shared a common view on various International issues including Palestine and Kashmir (a source of conflict between India and Pakistan). On the issue of Kashmir, Iran supported Pakistan to the extent of canceling a visit of Indian foreign minister in 1993 as protest against Indian's Kashmir policy. However, Iran and Pakistan diverged in their policies towards the Taliban regime in Afghanistan, which had some negative implications on their bilateral relations. On the other hand Indo-Iranian relations took an upward swing with increased economic and strategic cooperation. Since Iranian President Hashmi Rafsanjani's visit to India in 1996, there has been marked improvement in Indo-Iranian relations, causing concerns among certain circles in Pakistan. Moreover, the sectarian conflict in Pakistan (Shia-Sunni), resulting in killings of many people including several Iranian personnel, became a source of conflict between the two countries.

Afghanistan shares a 900 km long border with Iran. Despite historical and cultural linkages, the two countries faced ethno-sectarian differences. These differences intensified during the Taliban rule in Afghanistan (1996-2001). It brought Iran into conflict not only with the Taliban regime but with Pakistan also.

Iran and Pakistan, keen to have a friendly government in Kabul, worked on divergent lines. Iran supported Tajik and Hazara communities, whereas Pakistan backed the Pushtuns in the power struggle following the departure of Soviet troops from Afghanistan. In 1994 Taliban emerged on the political scene and rapidly assumed control of a major part of Afghanistan. They had the backing of Islamabad but did not develop friendly relations with Tehran. Iran continued to support Tajik and Hazara groups. The divergent approaches caused further deterioration in Iran's relations with Pakistan as well as with the Taliban regime in Afghanistan. In 1998, the Taliban, following the capture of Mazar-e-Sharif, killed a number of Iranian diplomats, allegedly supporting the

Northern Alliance. Though Pakistan denied its involvement in the incident, it became a contentious issue between Iran and Pakistan and Afghanistan. Iran moved its troops to the Afghan border to apply pressure on Afghanistan in context of killings of its diplomats. A near war situation was averted but the relations between Iran and Afghanistan remained strained, with a negative fallout on Pakistan-Iran relations because Iran viewed Pakistan as the main supporter of the Taliban regime in Kabul.

With the fall of the Taliban in November 2001 it was expected that relations between Pakistan and Iran would improve. But, Pakistan's decision to join coalition forces against the Al Qaeda organization based in Afghanistan (an organization led by Osama Bin Laden, widely blamed for attacks on the US) under relentless US pressure did not get a favourable response from Tehran. As American presence in Afghanistan and Central Asia seemed to be a long-term possibility, Iran's anxiety regarding its security increased. Iran continued with its involvement in Afghanistan by using its linkages with the Northern Alliance leadership. It also took keen interest in rebuilding of Afghanistan. However its growing interest in Afghanistan caused apprehensions in the US, which did not favour Iran's active involvement in Afghanistan.

The Central Asian states have been facing a host of problems including religious extremism, terrorism and drug trafficking emanating from an unstable Afghanistan.³² Iran, after the disintegration of Soviet Union, worked hard to expand its relations with these states, but Iran's Shia character stood in the way of establishing cordial relations with these states, especially with Turkmenistan which shares a border with Iran. As an analyst stated "Iran's Persian-Shia character and influence of Iranian civilization in the region are resented by some of these countries"³³ Moreover, the US military presence in the Central Asian region coupled with its efforts to minimize the influence of Tehran in the region generated serious security concerns in Iran.

Current Scenario

The US led war on Iraq (March-April 2003) was a turning point in the conduct of International relations. After 9/11 the Americans developed a 'security paranoia' and pursued a policy of preemptive strike to counter the sources of perceived threats to their security. The US launched a military action against Afghanistan in October-November 2001 which had support of the international community. The success in Afghanistan encouraged it to use the same strategy

³² Baber Shah, "Geo-Strategic patterns of a post-Taliban Afghanistan", *Strategic Studies*, vol. xxii, (Spring 2002), no. 1, p. 69

³³ Hafeez Malik, "Iran's Relations with Pakistan", *Current Affairs*, May, 2003, p 28.

in Iraq, but this did not have the support of the UN. The US pursued the unilateral action against Iraq due mainly to the absence of a countervailing power and cleavages and divisions in the Middle East and dependence of most of the regional states on the US.³⁴

The Iranian government condemned the terrorist attacks in the US in September 2001. Iran's Special Forces provided useful intelligence against Taliban and Al Qaeda (an organization blamed for attacks) members to the Americans. It also used its influence over SCIRI (supreme council for Islamic revolution in Iraq) an opposition group working against the Saddam regime to join hands with other groups who had patronage of the US against Saddam Hussein. It even did not make an issue of American violation of Iranian airspace and coastal waters. However, with the occupation of Iraq by the US military, the Iranian government expressed serious concern about the expected long-term stay of US and other allied troops in Iraq. The US on the other hand, began to apply pressure on Iran with reference to three major issues:

- Iran was fomenting trouble in Iraq (post US invasion) by supporting the dissident elements that were challenging the presence of US and other troops in Iraq.
- Iran was accused of giving refuge to Al Qaeda operators, responsible for a series of bomb attacks in Saudi Arabia in which 34 people were killed including nine Americans. It was also alleged that Iranian government was deliberately not taking effective actions against terrorists within its borders.
- "They accused Iran of pursuing a secret nuclear weapons programme."³⁵

The US deputy defense secretary, John Wolf asserted that "Iran is going down the same path of denial and deception that handicapped international inspections in North Korea and Iraq."³⁶ With the demise of perceived threat from Iraq, Israel also accelerated its campaign against Iran. Israel believed that Iran's nuclear ambitions were mainly aimed at hurting Israel's interests in the region. It insisted that Iran was much closer to producing nuclear weapons than the US intelligence believed, and urged the US to take direct action to stop Iran's nuclear weapons programme. The EU also expressed serious concern over Iran's nuclear programme. A joint declaration issued by the foreign ministers of EU demanded Iran's "urgent and unconditional protocol under the nuclear Non-Proliferation Treaty (NPT) to provide for surprise inspections of

³⁴ Hasan Askari Rizvi, "Military success, diplomatic fiasco", *Daily Times*, 15 April 2003.

³⁵ Afzal Mehmood, "Is Iran the next target", *Dawn*, 6 June 2003

³⁶ *Dawn*, 7 June 2003

its nuclear sites.”³⁷ Russia also shared a similar view with the US and other powers on the issue of Iran’s nuclear programme as it considered Iran’s nuclear weapons capability not in the interests of the regional security. On the conclusion of Camp David talks between the US and Russia on September 27, 2003, Mr. Putin declared that Russia had no intention of contributing in any way to the creation of weapons of mass destruction.³⁸ He indicated cancellation of a deal with Iran regarding the sale of a nuclear power plant to Tehran. Iran on the other hand continues to deny its ambitions to develop nuclear-weapons capability. Iranian Foreign Minister Kamal Kharazi asserted “we do not find the development of nuclear weapons increase security. Contrary to that, we find it to be a threat to national security.”³⁹ Nevertheless, the International community did not buy the argument.

Western pressure on Iran mounted with IAEA inspectors’ statement that they have found traces of weapons grade uranium on the nuclear equipment. The UN Security Council and the IAEA fixed October 31, 2003, as the deadline for Iran to prove that it was not working on a nuclear weapons programme. They also demanded that Iran cease all uranium enrichment activity; also sign, ratify and implement an additional protocol for non-proliferation and inspections. Iran fiercely denied allegations of nuclear weapons and argued that the traces of enriched uranium came on imported equipments. However, Iran agreed to sign an additional protocol for providing information on its nuclear programme. It also agreed to a comprehensive inspection of its nuclear installations. Three European countries -- Britain, Germany and France played an active role in convincing Iran to accept international inspections and fold back its nuclear programme. They also promised to cooperate with Tehran to work for strengthening its security.

Iran has provided information about its nuclear programme to the IAEA, including information how it was setting up a nuclear enrichment facility. It named the people from the international underworld who helped Iran to acquire uranium enrichment know-how. They named some Pakistani nuclear scientists. When Libya decided to abandon its nuclear programme in December 2003 and also disclosed the sources of procurement of nuclear technology, which included some Pakistani names.

The information from the nuclear programmes of Iran and Libya put Pakistan on the spot for the role of some of its scientists in the alleged proliferation of nuclear technology. This led Pakistan to institute an inquiry into the nuclear transfers from Pakistan by some nuclear scientists in their personal capacity. Pakistan also reiterated its commitment to the safety and security of its nuclear weapons programme and no transfer of nuclear technology.

³⁷ Ibid, 22 July 2003

³⁸ Ibid, 28 September 2003.

³⁹ Ibid, 22 July 2003.

Conclusions

Iran's foreign policy is shaped by ideological and other factors and Islamic norms and ideals have had a profound impact on its foreign policy choices. However, with the passage of time, especially after the demise of Ayatollah Khomeini, ideological considerations were softened to accommodate other considerations like the geostrategic considerations and the changing character of the international system. The perceptions of insecurity as cultivated by the ruling elite had a strong impact on its foreign policy. Though Iran advocated a non-aligned foreign policy, it was greatly influenced by its troubled relations with the United States. It perceived the US as its greatest adversary that wanted to destroy the Islamic revolution and establish its hegemony in the region. Israel was viewed as an extension of US hegemonic drive in the region and a usurper of Palestinians' land and their rights. Iran thus supported the Palestinian cause and adopted a hard line towards Israel.

Iran sought to build close relations with the European states, which had a better understanding of Iranian concerns and interests. Given the geostrategic realities, Iran also attempted to build close relations with India, Russia and China and attached great importance to building its nuclear and missile technology programme. It has developed 1500 to 3000 km range missiles, which caused much concern in the western world and Israel. Iran has generally maintained cordial relations with Pakistan and supported its position on Kashmir. However, Pakistan-Iran relations ran into difficulties as they competed for influence in Afghanistan in the 1990s; they supported opposing groups in Afghanistan. With the end of the Taliban rule in Afghanistan, Pakistan's relations with Iran have shown some improvement, although they continue to be inclined towards different groups in that country.

The rise of the US as the sole super power after the end of the Cold War created much apprehension in Iran because of its strained relations with that country. Though Iran condemned the terrorist attack in the US in September 2001, it took exception to unilateralism in US policy that manifested in a stark manner in Iraq in 2003. Iran was happy that Saddam Hussein was dislodged from power but US military presence next door was an undesirable development. However, it has worked seriously for improving its relations with the neighbouring Gulf States in the 1990s. From a relationship of mutual distrust due to the revolutionary zeal of Iran in the immediate aftermath of the Revolution and the pro-US policies of the Gulf States, the sides adopted a negative, if not an hostile attitude towards each other. Now, Iran and the Gulf kingdom have adopted an accommodative disposition towards each other, which has reduced tension in the region and improved economic and diplomatic interaction between Iran and the Gulf states, although Iran

continues to oppose the monarchical form of government and US military presence in the Gulf region.

Iran's decision to open its nuclear programme to international inspections and give information about the sources of procurement of nuclear technology shows the acceptance of the power realities in the present day international system when the US and other major powers are much concerned about weapons of mass destruction and terrorism. This decision has put Pakistan in a difficult diplomatic situation because Iran has named some Pakistani personnel as sources of procurement of nuclear technical know how. ■

REFUGEE RIGHTS UNDER INTERNATIONAL JURISDICTION: A CASE STUDY OF AFGHAN REFUGEES

Salma Malik*

Introduction:

Fortunately for a majority of us very few have had to endure the distress of being displaced, uprooted or forcibly dislocated from our homeland. The very experience of making a painful journey into an uncertain future, which most of the time does not carry much promise or physical dividends, but a faint hope for a safer or a more secure life, is a reality many of us are blissfully unaware of. There are currently an approximate 12 million refugees around the world, as well as many millions of others who have been forcibly displaced as a result of conflict, systematic discrimination or other forms of persecution. Seeking protection outside the reach of persecution they very often fled. Refugees are mentioned in the earliest literature and the theme of seeking refuge or exile is found in religious writings as well.

The end of bipolar confrontation profoundly altered the global political scenario. The proxy wars ended, although several of them took on lives of their own without superpower patronage. External intervention in a conflict became less risky, since it no longer threatened major retaliation from a superpower sponsor. In many cases, the ideological motivation for conflict diminished, to be replaced often, by identity-based conflicts built around religion, ethnicity, nationality, race, clan, language or region. More often than not, these conflicts took place within national boundaries, rather than across them. In many cases, they were complicated by the involvement of people of similar ethnicity or religion in other countries, including refugees and a politically active Diaspora. Since these conflicts were no longer connected to an epic geopolitical struggle, many of the people who were driven by violence and persecution to flee their homes were marginalized by powerful states, which no longer found their vital national interests at stake.

An attempt is made through this paper to address the relatively ignored issue of refugees and refugee rights. What are the various conventions and international rulings pertaining to the rights and privileges that displaced persons and refugees are entitled to when seeking asylum or protection against persecution as well as physical displacement? What impact has the post-cold war strategic environment cast on the refugee issue and what dispensation can

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be observed post 9/11 in the light of international law? Finally an attempt would be made to analyze the Afghan refugees problem in Pakistan since the Soviet occupation of Afghanistan in the late 1970s. How to check the refugee influx and its fallout on the overall domestic socio-political environment of the host country Pakistan. And lastly an analysis of the overall situation is presented.

Refugee Rights Under International Law

Significant progress has been made since the end of the Second World War in defining the laws of war. The four Geneva Conventions of 1949, which form the basis of international humanitarian law, have been ratified by virtually every state across the globe, illustrating the importance attached to this body of law. In addition, 150 states have ratified either one or both of the two 1977 Additional Protocols to the Geneva Conventions. In spite of this, wars in which disciplined, well-provisioned armies fight each other and try to avoid damage to civilian people and property while permitting the sick and wounded to be treated still appear to be an exception rather than the rule.

Under the terms of the 1951 UN Refugee Convention, *a refugee is a person who cannot avail himself or herself of the protection of his or her own state, and who has crossed an international boundary marking the limits of the sovereign territory of that state.*¹ This definition, however, leads one to question the relevance of and revise the strategic lexicon for notions such as sovereignty and national frontiers, as the contemporary state appears to be losing much of its ability to control what crosses its borders as well as what goes on within it.

As mentioned above the definition of a refugee in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol says:

A refugee is someone with a well-founded fear of persecution on the basis of his or her race, religion, nationality, membership in a particular social group or political opinion, who is outside of his or her country of nationality and unable or unwilling to return.

Refugees are forced from their countries by war, civil conflict, political strife or gross human rights abuses. There were an estimated 14.9 million refugees in the world in 2001—people who had crossed an international border to seek safety—and at least 22 million Internally Displaced Persons (IDPs) who had been uprooted within their own countries.²

1 Definition of the term “Refugee” as given in Article 1, Chapter 1, of the 1951 Convention relating to the status of Refugees & its follow up 1967 Protocol. (<http://www.unhcr.ch/cgi-bin/texis/vtx/home>)

2 Op cit., 1951 Convention.

What (is the Significance of Such Conventions)

Enshrined in Article 14 of the 1948 Universal Declaration of Human Rights is the right to seek and to enjoy in other countries' asylum from persecution. This principle recognizes that victims of human rights abuse must be able to leave their country freely and to seek refuge elsewhere. Governments frequently see refugees as a threat or a burden, refusing to respect this core principle of human rights and refugee protection. Seeking asylum and refuge in safer places is an undeniable right every person is entitled to and no state can deny people these fundamental rights.

Recognizing that the grant of asylum by a State to persons entitled to invoke Article 14 of the Universal Declaration of Human rights is a peaceful and humanitarian act and that, as such, it cannot be regarded as unfriendly by any other State.³

This right to seek asylum is also a fundamental clause of the American Convention on Human Rights, which states in its article 22-7:

Every person has the right to seek and be granted asylum in a foreign territory, in accordance with the legislation of the state and international conventions, in the event he is being pursued for political offences or related common crimes.

Another very important and often violated article regarding the protection issue is the principle of non-refoulement. To begin with the Geneva Conventions related to the Protection of Civilian Populations in Times of War in its Article 45 states; In no circumstances shall a protected person be transferred to a country where he or she may have reason to fear persecution for his or her political opinions or religious beliefs. Related to this is Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which states: No state party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture. The principle of non-refoulement is also an essential part of the International Customary Law, and makes it an obligation for all state parties to observe. Similarly any person cannot be held or forced to stay in any country without his wish and desire, known specifically as *Right of Return*. Similarly there are many rights that offer protection to refugee children. Such as the Article 10 of the Convention on the Rights of the Child states, that applications by a child or his/her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States' parties in a positive, humane and expeditious manner.

³ Declaration on Territorial Asylum Resolution No. 2313, 1967.

Where (does the refugee problem strike most)

The global refugee crisis affects every continent and almost every country. In 2001, 78 percent of all refugees came from 10 areas, namely: Afghanistan, Angola, Myanmar, Burundi, Congo-Kinshasa, Eritrea, Iraq, the Palestine territories, Somalia and Sudan. Of these Palestinians form the world's oldest and largest refugee population and along with Afghanistan make up more than one fourth of all refugees. Asia hosts 45 percent of all refugees, followed by Africa (30 percent), Europe (19 percent) and North America (5 percent).⁴

When (i.e. since when has this issue been a cause of global concern)

Throughout history, people have fled their homes to escape persecution. But it was in the aftermath of World War II; the international community included the right to asylum in the 1948 Universal Declaration of Human Rights. In 1950, the Office of the United Nations High Commissioner for Refugees (UNHCR) was created to protect and assist refugees, and in 1951 the United Nations adopted the Convention Relating to the Status of Refugees, a legally binding treaty that, by February 2002, had been ratified by 140 countries. And not only that, since year 2001, June 20 has been unanimously declared as the International Refugee Day since for years, many countries and regions have been holding their own refugee days and even weeks.

Why (is the need felt for such measures)

In the past 50 years, states have largely regressed in their commitment to protect refugees, with the wealthy industrialized states of Europe, North America and Australia—which first established the international refugee protection system—ironically, adopting particularly hostile and restrictive policies. Protection includes many aspects, mainly legal and physical protection. Although there exists so many international legislations supporting refugee rights, not only are these conventions and rulings violated blatantly, but physical protection of refugees is generally ignored. Governments have often subjected refugees to arbitrary arrest, detention, and denial of social and economic rights and closed borders. In the worst cases, the most fundamental principle of refugee protection, non-defilement, is violated, and refugees are forcibly returned to countries where they face persecution. Since September 11, many countries have even pushed through emergency anti-terrorism legislation that curtails the rights of refugees.⁵

⁴ Ibid.

⁵ Thematic Issues, "Refugees and Displaced Persons," from the web site of Human Rights Watch

Changing Global Trends and Realities

The far-reaching political consequences of the end of the Cold War added to the impact of yet another transformation which took shape in the 20th century and which is sweeping forward into the 21st. This complex set of technological, institutional, organizational, cultural and social changes are grouped together under the rubric of globalization. Globalization process challenges the sanctity of the traditional nation or nation-state boundaries, and this has implications for refugee protection. The current structure of refugee protection was designed in and for a state-centric system. Globalization has also led to the increased marginalization of particular groups in industrialized states, a rise in anti-immigrant sentiment and growing hostility towards asylum seekers.⁶

Although goods and capital circulate and people move with greater ease than ever before across increasingly invisible borders, with or without the consent of state authorities, governments are still determined to control unwanted movement of people. The stringent measures that have been enforced often prevent people in legitimate need of protection from reaching a country where they may seek safety.

Growing Complexity of Population Movements

People who flee their home countries out of a fear of persecution join a larger stream of migrants who leave in search of opportunities for work, education, and reunification with family members, or for other reasons. It has been estimated that at the end of the 20th century some 150 million people were living outside the country of their birth, amounting to about 2.5 per cent of the world's population, or one out of every 40 persons.⁷ Of these, about 15 million, or 10 per cent, are refugees. Many states have adopted explicit immigration laws and policies under which immigrants are admitted from three different streams: for family reunification; for employment, education or investment-related ends; and for humanitarian reasons.

While the categories are neatly distinguished on paper, in reality the boundaries between them are far from clear and the connections between them are many. For example, the members of a persecuted minority having made the wrenching decision to leave their home, opt to seek asylum in an affluent country where the chances of being able to support themselves are better. Does this make them economic migrants? A political dissident in an authoritarian country receives death threats and tries to migrate and join his

<<http://www.hrw.org/campaigns/afghanistan/refugees.htm>>.

6 J. Morrison, *The Trafficking and Smuggling of Refugees: The End Game in European Asylum policy?*, Report for UNHCR Evaluation and Policy Analysis Unit, Geneva, July 2000, available on <<http://www.unhcr.ch>>

family members. Is this a case of refugee resettlement or family reunification? An indigenous subsistence farmer, after the third time his community is attacked by right-wing paramilitaries, slips across a border to the north and finds work in the fields. Would this make him a refugee or an illegal immigrant?

Modern states, in exercising their fiercely defended sovereign right to determine who may or may not enter their territory, have to make these judgment calls every day. The only part of the immigration flow over which governments have surrendered some discretion is the humanitarian stream, in those parties to the 1951 UN Refugee Convention or its 1967 Protocol obligate themselves not to return refugees to a country where they are likely to face persecution. Pressure on the asylum systems of advanced industrialized countries has grown as some have narrowed or closed off other channels of legal immigration. European states, for example, have virtually ended official programmes of labour migration, despite a sharp decline in the native-born workforce. Attempts by non-refugees to use the asylum channel to gain a legal foothold in industrialized countries are a real—though often exaggerated—fact of life. Preoccupation with immigration control is a comparatively recent development in historical terms. Until roughly the time of the First World War, except for a few countries such as Japan, states placed no serious constraints on the movement of people across their borders. The early attempts that were made to control movements in Europe were aimed at preventing the departure, especially of people with acquired skills and able bodies.

Over the past decade, many states have experienced increased immigration pressure, not least because of technological advances, which have facilitated travel. Rising xenophobia in some places and states' fears of losing control over entry into their territory, have led them to adopt increasingly stringent measures to prevent unauthorized migration. This has been the case not only in Europe and North America, but of almost any country that is relatively more prosperous compared to the states around it, has found that one reward of success is increasing immigration pressure. Regional powerhouses such as Thailand, Malaysia, South Africa or Mexico have found themselves struggling to deal with unauthorized entry from their poorer, and often troubled neighbours.

No state has yet succeeded in developing deterrent strategies for undocumented immigrants that manage to differentiate fairly and effectively between people with well-founded fears of persecution and those with economic or other motivations for seeking entry. The same measures that make it difficult for an unauthorized migrant to gain access to the job markets of 'a land of opportunity' make it difficult for a refugee to gain access to the territory of a potential asylum country and to asylum procedures.

7 J. Harding, *The Uninvited: Refugees at the Rich Man's Gate*, Profile Books, London, 2000, p. 7.

Humanitarian assistance bodies such as the UNHCR has repeatedly expressed its concern about indiscriminate barriers to entry, since even an asylum system which functions well cannot protect people who are unable to reach the country concerned. The result is that some refugees resort to the dangerous and costly services of human smugglers and traffickers to circumvent the high barriers—some physical, some administrative—that separate them from safety. As the recognized categories of migrants' overlap and blur, the needs of other groups of uprooted people are being acknowledged. Their relationship with established mechanisms and institutions of international protection and assistance are uncertain, even though many of them have the same humanitarian needs as refugees.

A 1996 conference addressing migration and displacement in the Commonwealth of Independent States, for example, drew international attention to no fewer than nine categories of uprooted people in the former Soviet Union. Refugees, people in refugee-like situations, internally displaced people, repatriates, formerly deported peoples, transit migrants, illegal migrants, ecological migrants and involuntarily relocating persons.

Implications of 1951 UN Convention on Afghan Refugees Residing in Pakistan

Pakistan in spite of being a developing country has hosted millions of Afghan refugees since the 1970s. Although in the following paragraphs, an attempt has been made to highlight the impediments and shortfalls in Pakistan's Afghan policy, one must keep in mind that the country itself faced a lot of difficulties during the Soviet occupation of neighboring Afghanistan. In spite of inherent problems of its own and the usual dilemma faced by a developing third world country, there was a time when Pakistan had to single-handedly support a burgeoning refugee population, with no donor aid or help coming from any quarter.

Since that time, Pakistan government has made in sporadic efforts to register refugees and to provide some legal protection. In the early 1980s, refugee families were issued passbooks.⁸ The passbooks entitled refugees to receive assistance, and they were also used as identity documents. On a sporadic basis for a few years thereafter, the government of Pakistan issued passbooks to newly arriving refugees for assistance purposes only. The passbooks did not provide identification for the refugees, and as such, provided no legal protection.⁹ Outside of these isolated cases, throughout the past decade, and contrary to international standards including ExCom

⁸ The issuance of Passbooks & Identification documents was done according to Article 25 of Chapter 5 dealing with Administrative Measures in the 1951 Refugee Convention.

⁹ From chapter 8, "Refugee Protection And Assistance In Pakistan" in the Human Rights Watch Report, Closed Door Policy: Afghan Refugees in Pakistan and Iran, 26 February 2002.

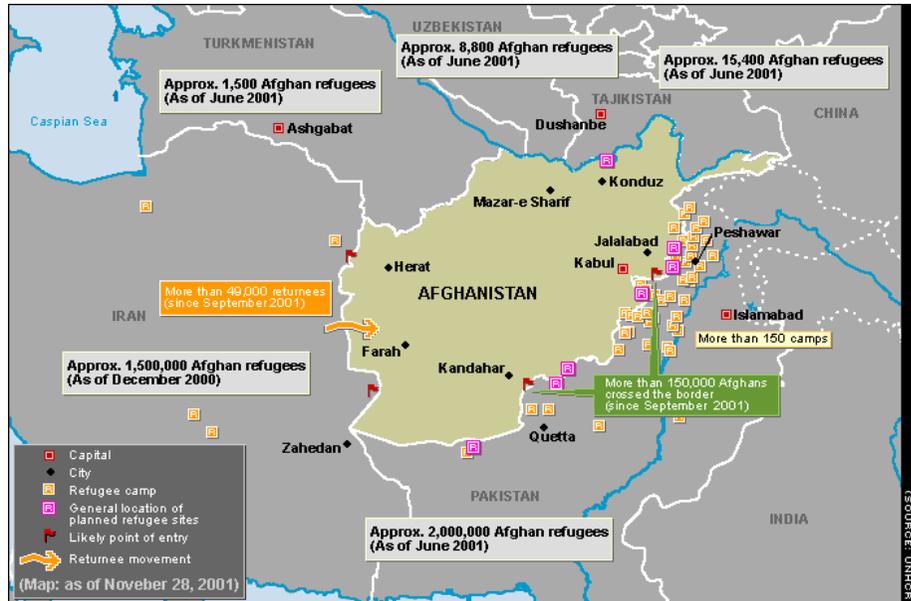
Conclusion No. 91, the majority of Afghan refugees in Pakistan have not been registered, granted legal status, or issued identity documents. In addition, starting from late 1999 the government refused to consider newly arriving Afghans as *prima facie* refugees.¹⁰

In spite of the fact that it hosted the biggest bulk of world's refugee population for the past three decades, Pakistan is neither a party to the Refugee Convention, nor its follow-up 1967 protocol. However, many a principle enshrined in the Refugee Convention are also well-established principles of customary international law, thus making it binding on Pakistan. Since 1958, Pakistan has been a member of UNHCR's Executive Committee (ExCom), and as such has participated in drafting and approving many of the ExCom Conclusions on Refugee Protection. Additional ExCom Conclusions that establish norms relevant to Afghan refugees include *No. 22*, which addresses the need to fully protect refugees who, arrive in a host country as a part of a large-scale influx; *No. 85*, which addresses the problem of mass influx of refugees and the right to seek and enjoy asylum; *No. 81*, which reiterates the importance of UNHCR's protection mandate and the primary responsibility of states in protecting refugees within their territories, besides *No. 91*, which emphasizes the importance of refugee registration. Furthermore, in August 2000 Pakistan also publicly acknowledged its international legal obligations to refugees when it agreed with UNHCR to screen Afghan refugees according to standards generally based on international refugee law.¹¹

There are more than one hundred and fifty refugee camps inside Pakistan, the majority of which are located around Peshawar and north along the Afghanistan border in the NWFP; others are clustered around Quetta in Balochistan province. Refugees arriving during the US-led bombing campaign and earlier in 2001 mostly went to New Jalozai camp in NWFP, some thirty-five kilometers east of Peshawar. Jalozai has long been a destination for Afghan refugees. And the large number (approximately 80,000 refugees) that was already there made it difficult to accommodate the new arrivals. Other camps to which newly arrived refugees have gone include *Shamshatoo* and *Nasirbagh*, on the outskirts of Peshawar. They already housed tens of thousands of refugees. In Balochistan, refugees are located nearer to the border crossing point at Chaman in a small staging camp at Kili Faizo and in Roghani and Tor Tangi camps run by UNHCR, as well as at another smaller camp run by authorities of the United Arab Emirates. There are also several pockets of Afghan *urban refugees* living outside of these official camps in settlements in urban centers such as Peshawar, Quetta, Islamabad and Karachi.

¹⁰ Ibid

¹¹ Ibid.



Source: United Nations' High Commission for Refugees, 2002¹².

The government authorities responsible for promulgating laws and policies affecting refugees in these camps and in urban areas often employ contradictory policies, exacerbating the already hostile environment for refugees. For example, NWFP government had been openly hostile to the presence of the refugees, while the governor of Balochistan has been somewhat more tolerant and cooperative with the federal government's policies. Both of these local authorities are expected to coordinate their policies with the Ministry of States and Frontier Regions (SAFRON), and other federal government departments, though the coordination between the federal government and the provincial governments is often lacking. These layers of government are further complicated by the fact that the Federally Administered Tribal Areas (FATA) has a semi-autonomous legal status with the federal government. With separate tribal leaders and security personnel located in FATA, they are not legally obliged to coordinate their policies with one another, much less with the governor of NWFP or with Pakistan's federal government.

Pakistan first closed its borders to prevent Afghans from entering in November 2000, citing an inability to absorb the 30,000 refugees who had arrived in the previous two months and the thousands more expected to arrive.

¹² More than 20 years after the Soviet Union invaded, Afghans remain the largest, single refugee group in the world. More than 3.5 million refugees reside in Pakistan and Iran alone, according to the United Nations High Commissioner for Refugees.

Since then the government has repeatedly stated that it closed its borders to fleeing Afghans because of security concerns. Besides, Pakistan's actions were in direct response to a request from the US to strengthen security in an effort to apprehend those responsible for the September 11 attacks in the US. Western governments, including the US, Australia, and European Union member states, also tightened immigration controls in a way that could further deny protection to Afghan refugees.¹³ This was in light of the fears that members of the al-Qaeda organization or members of the Taliban armed forces might try to cross from Afghanistan into Pakistan. Though Pakistan's security concerns were entirely legitimate, by closing its borders to Afghan refugees, denying them entry, and returning some refugees to Afghanistan, the government of Pakistan was not only placing the refugees at a risk of being returned to a country where their lives were seriously endangered but also violating its obligation of non- refoulement.¹⁴

Furthermore, international refugee law includes provisions for screening and excluding persons who pose a threat to national security and who are not entitled to international refugee protection. International refugee standards also provide for the separation of armed individuals and those who have not genuinely and permanently renounced their military activities from civilian refugees, in order to maintain the civilian and humanitarian nature of refugee camps and asylum. These provisions must be applied in a fair, non-discriminatory manner with full procedural guarantees and international monitoring. The Pakistani authorities also refused to allow UNHCR to register new arrivals in new Jalozai camp in order to determine whether they were in need of refugee protection. Without registration, assistance programmes were also stymied, since the registration of refugees establishes accurate numbers and a system of documentation for the distribution of food and non-food items.

Pakistan's desire to cooperate with the international coalition against terrorism was also a factor influencing the border closure policy. In the lead-up to the U.S.-led air strikes in Afghanistan, the United States requested Pakistan to keep its borders closed. Despite the anticipated need for fleeing Afghans to seek safety in neighboring countries and the legal standards allowing for separation of armed individuals or those engaged in military activities from civilian refugees. The border closures undermined the right to seek asylum, enshrined in the Universal Declaration of Human Rights and customary international law. Also as a result of the policy, the Frontier Corps personnel and authorities in FATA were officially empowered to impose fines on people

¹³ Safe Refuge Must Be Provided For Afghan Refugees, (New York, September 21, 2001)

<<http://www.hrw.org/includes/blue/titles/news.gif>>

who were stopped while crossing. These fines are usually beyond the means of Afghans, who often flee with no money at all.

Pakistan's federal domestic laws make no specific provision for refugees. In fact, the laws actually undermine the concept of legal protection. The Foreigners Order of October 1951, promulgated pursuant to the Foreigners Act of 1946, gives the power to grant or refuse permission to enter Pakistan to civil authorities at Pakistan's border. Under this Order, foreigners not in possession of a passport or visa valid for Pakistan, or those who have not been exempted from the possession of a passport or visa, can be refused entry. There are no specific provisions providing for the granting of entry to asylum-seekers or refugees. The refusal of entry to asylum seekers by the Pakistani authorities undermines the right to seek asylum, which is enshrined in the Universal Declaration of Human Rights and customary international law as well as numerous conclusions of UNHCR's ExCom. The Foreigners Order also allows civil authorities to restrict the movements and place of residence of foreigners inside Pakistan, as long as these are made in writing. Other provisions allow for the arrest and detention of undocumented foreigners.

In August 2001, there were signs of improvement. The government of Pakistan was motivated to change its policy toward Afghan refugees because of its desire to move them out of the camps in which they were then living. In particular, the government focused on moving refugees from new Jalozai camp, because of land disputes and negative press accounts describing the squalor there; and to close Nasirbagh camp completely because of a real estate development project planned for its location. The government, therefore, held negotiations with UNHCR. The resulting agreement contained both the relocation component and a legal protection component with the latter aspect to be achieved through screening interviews. Under the agreement, thirty UNHCR and government teams were to interview an estimated 180,000 Afghans in the NWFP, focusing mostly on new Jalozai, Nasirbagh and Shamshatoo camps, to determine into which one of three categories the Afghans fell.

The *first category* encompassed all who would be afforded continued international refugee protection in Pakistan. Under the definitions selected for this first category, refugee protection was to be provided to:

Any person who is outside his/her country of origin and who is unwilling or unable to return there or to avail him/herself of its protection because of (i) a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political

14 1951, Refugee Convention, Article 33, Chapter 5, Administrative Measures on Prohibition Of Expulsion Or Return ("Refoulement"). Also see, Erika Feller, ed. *Refugee Protection in International Law* UNHCR's Global Consultations on International Protection, Cambridge University Press (CUP), June 2003, p.353.

opinion; or (ii) a threat to life or security as a result of armed conflict and other forms of widespread violence, which seriously disturb public order.¹⁵

These criteria generally adhered to international standards, and in fact represented a potentially marked improvement for the legal protection of Afghan refugees in Pakistan. These criteria mirror the Refugee Convention's definition of a refugee, and also reflect elaboration of the refugee definition in regional instruments such as the Organization of African Unity's 1969 Refugee Convention. The *second category* included those who did not meet the criteria set out above, but who were considered to be particularly "vulnerable," such as women heads of household, the elderly, unaccompanied children, and others. This second category would be given temporary protection in Pakistan. The *third category* included all Afghans found not to be in need of refugee protection would be returned to Afghanistan.¹⁶

Under the relocation aspect of the programme, refugees in need of international protection (category one) and some of those found to be particularly vulnerable (category two) were to be relocated to new Shamshatoo camp, and to other camps located elsewhere in the NWFP. It was not finally decided what would happen with those vulnerable refugees who would be put further at risk if they were moved to a new camp. The third category would be deported from Pakistan to Afghanistan. This would achieve the government's goals of reducing overcrowding in new Jalozai, avoiding ongoing disputes with the landowner, and clearing Nasirbagh for the planned real estate development.

Although not perfect, the agreement provided for improvements in protection for Afghan refugees; however, these were soon lost. UNHCR and the government of Pakistan began screening in mid-August but stopped on August 28, when Pakistan forcibly returned about one hundred and fifty Afghan refugees who had not yet been assessed under the screening programme. These returns or refolement were termed by the UNHCR as a "a clear breach of the August 2 Agreement." Reports indicated that the returned Afghans included refugees from Jalozai camp and some unaccompanied children. During the ensuing dispute between the government and UNHCR, screening was halted. It started again on September 3 and lasted for eight more days until the September 11 attacks on the United States. With the post-September 11 inflows of large number of Afghans to Pakistan, the full screening programme was not re-instated. Instead, the government of Pakistan maintained its interest in relocating the refugees -- a policy goal that re-surfaced in a new initiative in November 2001.

15 From Human Rights Watch Report, Closed Door Policy: Afghan Refugees in Pakistan and Iran.

16 Ibid.

Inside Afghanistan, there were fines imposed at checkpoints on people leaving Afghanistan. For those Afghans who could not afford to pay, incidents of extortion hampered their ability to reach greater safety in Pakistan. As a result of Pakistan's increasingly strict border closure policy, and the fines and extortion inside Afghanistan, it became even more dangerous and costly for Afghan refugees to enter Pakistan after September 11, 2001. At the Torkham crossing point, *border pushbacks* became more prevalent with increased numbers of refugees seeking to enter Pakistan after the October 7, 2001. These refugees frequently sought entry into Pakistan through any of the unofficial routes. Once allowed to enter Pakistan, the vulnerability decisions were many times influenced by bribery and extortion. In addition, a protection problem cropping up in the first weeks of the vulnerability screening was that women, children, and the elderly were allowed to enter, whereas sometimes men were not. This policy was due to the security concerns of the government of Pakistan, but it was applied to civilian as well as armed men. As a result, in the initial stages, some families accompanied by civilian men were separated at Chaman border crossing.

The lack of legal status for Afghan refugees in Pakistan left them without any protection from harassment, extortion, and imprisonment by the Pakistani police. Furthermore, in these camps, women-headed households suffered acutely during distributions, regardless of the process. A primary problem in all the refugee camps visited by Human Rights Watch was that there were no female police on site to ensure the security of female refugees, and from whom such female refugees could seek protection without putting themselves at risk of abuse or abridging cultural norms. This absence of female staff is contrary to Pakistan's obligations under ExCom Conclusion No. 64, which urges states to "increase the representation of appropriately trained female staff across all levels of organizations and entities which work in refugee programs and ensure direct access of refugee women to such staff." The need for female staff was also clear during the relocation programme (discussed *infra*, under "Refugee Relocation"), in which some refugee women described having less information and fewer alternatives than men when deciding whether or not to relocate.

The frequent incidents of violence during distribution made Afghan refugee women, already unaccustomed to appearing in public places, deeply afraid to go for distributions in order to collect food. Other refugees in urban settings, particularly in Peshawar, reported anecdotally about destitute women and girls resorting to prostitution.¹⁷

17 See BBC on line, "Inside a Peshawar Brothel," 19 December 2001, at <<http://news.bbc.co.uk/>. UNHCR> has recognized the fact that poverty can force refugee women into prostitution, "the failure to address adequately the assistance needs of refugee women has had serious repercussions in the form of sexual exploitation. . . some refugee women have been forced into prostitution for lack of assistance." See UNHCR, Guidelines on the Protection of Refugee Women, 1991.

One of the few international human rights treaties that Pakistan is party to, the 1989 Convention on the Rights of the Child. Article 22 requires that refugee children should receive appropriate protection and humanitarian assistance in the enjoyment of the rights enumerated in the Convention. Articles 28 and 29 set forth the rights to education that Pakistan should ensure. A pertinent requirement contained in article 28 is that states' parties shall "make primary education compulsory and available free to all." It was observed that many refugee children located in new Jalozai camp were not given access to primary schooling, and it was felt that Pakistan was also falling short on this international obligation. However, according to a recent study conducted by the UNICEF on the percentage of refugee children receiving primary level education was estimated to be around 50%, at least 10% higher than children enrolled for primary schooling through out Pakistan.¹⁸

The refugee population in various camps cited different reasons for not sending their children to school. One specific issue being that schooling options required paying fees. Families explained how they had to send their male children to work as opposed to school in order to supplement the family's income. Secondly, girl refugee children were usually kept at home with their mothers. In Peshawar, some refugee children living in the Tajarabat area worked as garbage pickers for a few rupees a day. Many refugee children in Peshawar were also working in brick kilns, carpet factories and shoe repair shops.¹⁹

Implications of 9/11 & Refugee Influx on Pakistan

The collapse of Taliban regime close after the September 11 terrorist acts and the consequent potential for peace and stability led to a shifting priority for Pakistan and the leading refugee aid agency UNHCR in Pakistan to facilitate and make preparation for a mass return of Afghan refugees from the country. Beginning January last year, the relief efforts focused on relocating refugees from urban Peshawar and Quetta to the new sites near the Afghan border, and by mid-February, the infamous Jalozai camp was finally closed. Despite significant changes occurring in Afghanistan, as mentioned before, two fresh refugee waves occurred unexpectedly in the early part of 2002. To deal with this massive refugee inflow, initially the Pakistan government made an exception for vulnerable refugees as part of its post-September 11 response. However, when a second wave of refugees approached Chaman in mid-

18 "Afghanistan, Iran, And Pakistan, Closed Door Policy: Afghan Refugees in Pakistan and Iran," February 2002 vol. 14, n^o. 2(G), <<http://www.hrw.org/reports/2002/pakistan/pakistan0202.pdf>> P. 32.

19 "Afghan Child Laborers Endure Pakistan's Summer Heat, Risk of Abuse, Long Hours and Low Pay", AWM Report, 30 August 2004, <<http://afghanwomensmission.org/awmnews/index.php?articleID=42>, accessed, 11/21/2004>.

February, the border was again sealed, leaving some 26,000 people stranded at the crossing point.

The establishment of the Transitional Islamic State of Afghanistan in June 2002 encouraged closer ties between Pakistan and Afghanistan. Through a series of informal tripartite consultations with UNHCR and the Afghan government, Pakistan came to acknowledge its neighbour's limited capacity to cope with such a massive rate of repatriation and spoke openly of the need for a more gradual return. Both governments agreed to correlate the pace of voluntary repatriation more closely with Afghanistan's reconstruction. Negotiations led to a tripartite agreement establishing a three-year timeframe for the voluntary and gradual return of Afghan refugees from Pakistan.²⁰

Soon after UNHCR opened voluntary repatriation centres in March and April 2002, hundreds of thousands of refugees came forward to register for assisted return. To accommodate the growing number of requests for assistance, UNHCR opened centres in Islamabad, Karachi, Quetta and Peshawar. Interest in return reached its peak in May and June, with staff processing up to 10,000 persons per day in the weeks ahead of the *Loya Jirga*. The sheer number of Afghans repatriating – which surpassed one million in August 2002 – served to mitigate internal pressures in Pakistan to bring a swift end to the Afghan refugee situation. In stark contrast to early 2001, the Government adopted a less restrictive asylum policy despite the growing resentment of local communities towards refugees. Throughout the year, detentions and deportations did not occur on a large scale, and reported incidents were brought quickly under control following UNHCR intervention. The large number of Afghans repatriating had a softening effect on public opinion, and served to ease the pressures on the government to bring a swift end to the Afghan refugee situation.

As mentioned earlier, Pakistan is not a signatory to the 1951 Geneva Refugee Convention and has no asylum legislation to ensure the protection of refugees. Though the government cites no reason for its decision to sign the convention or its follow up protocols, it is more than evident that for an over-populated third world country with so many pressing problems of its own, coming under the obligation of such a treaty could further exacerbate its socio-economic instability. However, the government has nevertheless agreed to pursue a policy of voluntary return and to abstain from mass arrests and deportations. The influx of Afghan refugee dates back to the 1978 Saur Revolution in Afghanistan and with the Soviet invasion of the country and the latest phase of US-led bombing campaign on October 7 in Afghanistan has worsened the situation for the host country.

With the Soviet pullout from Afghanistan, a time came when Pakistan alone was sustaining and supporting a big refugee population with no external

20 "Pakistan," UNHCR Global Report on Afghan Refugees, Year 2002, p. 307.

financial and material help. Though after the inception of the US-led bombing campaign on October 7, aid for Afghan refugees and those internally displaced increased, together with the level of international focus on the region, yet this was not enough to convince Pakistan to open its borders or to provide legal protection to greater numbers of refugees. The previous failure of the international community to provide sufficient support to Pakistan and neighboring Iran in meeting the needs of Afghan refugees may well have contributed to these two countries' increasingly hard line policies.²¹ This situation was further affected by the attacks on foreigners and foreign interests, which resulted in the withdrawal of four key international implementing partners. Thus once again Pakistan was left entirely on its own to support the ever-increasing refugee population.

From the very beginning, the local population had problems accepting, adjusting and integrating with the arriving refugees. Where a fair number of refugees remained confined to their camps, and were issued passbooks to validate their refugee status, a good number spread into big cities, aspiring for Pakistani citizenship, which given the inept bureaucratic system was not too difficult to obtain. Once they acquired the citizenship, it was not too difficult for them to purchase land, real estate and set up their own business, which adversely affected local interests. The refugee population also started to seek menial jobs and the local domestic labor market was negatively impacted. The Afghan labourers would work for very minimal wages that were much below the fixed cost of an average labourer, and would work in the most adverse conditions.

With the Soviets still occupying Afghan territory, and a constant flow of Afghans entering Pakistan, the law and order situation was hit very badly. There was a dramatic rise in crime rate; coupled with this was the easy availability, and diffusion of small arms and light weapons. These weapons could be traced back to two main sources; the CIA arms pipeline, which leaked profusely, or the illicit weapons arms bazaars that exist in the Northwestern province since the past two centuries. This gave rise to a poor law and order situation; introducing a klashinkov culture that continues to date, rise in sectarian and ethnic violence, and free flow of weapons, drugs, narco-dollars as well as counterfeit currency. This situation gave rise to a deep-rooted resentment among the local population that had to share its land, property as well as vocational opportunities with what they perceived as aliens. The ever-

21 The international community is obliged to assist host countries to meet the humanitarian needs of large refugee influxes. The Preamble of the Refugee Convention underlines the "unduly heavy burdens" that sheltering refugees may place on certain countries, and states that "a satisfactory solution" to the refugee problem "cannot . . . be achieved without international cooperation." Numerous ExCom Conclusions also reiterate the need for international responsibility sharing to assist host countries in coping with large refugee influxes. See, e.g. Ex Com Conclusion No. 52, International Solidarity and Refugee Protection, 1988.

increasing refugee population also gave rise to several social, integration as well as administrative problems that the government had difficulty in coping with.

As soon as the situation stabilized in Afghanistan, there was a mass return of refugees from Pakistan. By May 2002, 400,000 Afghan refugees had been repatriated, with voluntary repatriation centres processing up to 10,000 people per day. Despite elaborate verification measures, the sheer number of would-be returnees approaching the repatriation centres on any given day made it very difficult for UNHCR to crosscheck every application and avoid double registration. Afghan refugees eyeing a second helping of repatriation assistance have hit a blind spot with the arrival of state-of-the-art iris-recognition technology in Pakistan. The UN refugee agency UNHCR introduced an iris-recognition system among Afghan refugees in Peshawar as an additional measure to prevent the "recycling" of individuals seeking the multiple disbursement of its return assistance package.²²

Conclusion

In spite of not being a signatory to the Refugee Convention owing to its domestic constraints, Pakistan not only opened its borders to Afghan refugees on humanitarian ground, but also single-handedly hosted millions of them for quarter of a century. Sustaining such a huge population has not been easy for a country which is severely debt ridden, troubled by socio-economic problems which are very often linked to the Afghan population. Where the international community has been very active in campaigning for refugee rights, they have been lacking on monetary and physical assistance. Although the Pakistan government has been criticized for not doing enough in the education, health and social service field, what needs to be seen is that in comparison the level of education and related facilities provided at the refugee camps are much better compared with that available to the local population, and for a country like Pakistan with limited resources at hand, it has been very difficult looking after not only its own population but also a refugee population which runs in millions. Many times the problem lies not with the provision of the facilities, but their fair and equitable distribution.

Protecting refugees is a shared responsibility, with States having the primary duty and the NGOs, international organizations, agencies and other

²² Under the joint UNHCR-Afghan government voluntary repatriation programme, every individual returning to Afghanistan receives transport assistance ranging from \$5 to \$30 – depending on his final destination – a UNHCR family kit with plastic tarpaulin, soap and hygiene items, as well as wheat flour from the World Food Programme (WFP). Since March 2002, the UN refugee agency has helped more than 1.5 million Afghans return home from Pakistan. It has also turned away more than 396,000 "recyclers", or false claimants. Verification efforts have already saved UNHCR more than \$8 million in travel assistance, plus the cost of more than 72,000 family kits. It has also saved thousands of tons of WFP food aid for more needy returnees. The technology is entirely safe and involves no risk to the eye. As a further safeguard, the digital code for each iris is stored without any personal information, like the identity of the individual, so that it cannot be used for any purpose other than detecting false claimants.

political entities sharing this task. Although the 1951 convention and the 1967 protocol are global instruments setting out the core principals on which the international protection of refugees is built. Though their legal, political and ethical significance goes well beyond their specific terms, ultimately the full realization of the international protection regime hinges on the ability of the international community to find durable solutions for forced displacement situations, whether these are voluntary repatriation, resettlement in a third country, local integration or a combination thereof. The challenge is how to realize solutions of individuals, as well as for refugee groups, which are both lasting and protection based. International responses to the problem of forced displacement have evolved steadily over the last 50 years, and they will continue to evolve.

The legal framework and institutional arrangements for protecting and assisting refugees and other displaced people have developed and improved with time. It is our collective responsibility now to learn from the lessons of the past in developing new mechanisms for responding effectively to the challenges of the future. Meeting the needs of the world's displaced people—both refugees and the internally displaced—is much more complex than simply providing short-term security and assistance. It is about addressing the persecution, violence and conflict, which bring about displacement in the first place. It is about recognizing the human rights of all men, women and children to enjoy peace, security and dignity without having to flee their homes. This is the task ahead for governments, international organizations and the people of the world in the new millennium. ■