

REPORT PREPARED WITHIN THE FRAMEWORK OF THE PROJECT EXPANSION OF THE LIBRARY OF
COUNTRY OF ORIGIN INFORMATION UNIT, CO-FUNDED BY THE EUROPEAN REFUGEE FUND

INTERNAL SITUATION IN PAKISTAN

SYLWIA GIL

June 2012



COUNTRY OF ORIGIN INFORMATION UNIT
OFFICE FOR FOREIGNERS, POLAND
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INTRODUCTION

The aim of this report is to present the current internal situation in Pakistan in the context of specific social mechanisms behind the politics in this country. In 2008 Pakistan saw the return of the democratic system, following almost a decade of military rule under general Musharraf.

The new democracy faces many problems, including a series of conflicts between three main political actors – the government, the military and the judiciary which as of lately has been very active on the political scene, the disastrous economic condition of the country whose economic growth does not match the pace of the population growth, and security issues resulting from its involvement in the fight against terrorism and military operations in Afghanistan. It should be also mentioned that as a result of this military involvement Pakistan suffers great losses, with 30 thousand citizens dead due to such operations to this date.

Many experts who observe the events in Pakistan are of the opinion that the state is on the verge of a breakdown (which situation has lasted practically from the date the state was established), however, the country still functions. What to a large extent prevents its breakdown is the system of social connections present in this country, which, paradoxically, is at the same time the greatest hindrance to the country's development and an obstacle on its way to a modern power structure. The political events presently taking place in Pakistan have a negative influence on the country's stability but they are also very important for its future, as they involve the attempts of public institutions at defining their role and competence anew. Among the positive factors one may mention the fast urban development of the country and the activity of independent media which contribute to a growing civic awareness, especially in the rural areas where such awareness is specifically low due to a largely preserved feudal system.

In this report I aimed to take into account some recent important works, such as A. Lieven's *Pakistan: a Hard Country*, a brilliant study based on the author's own research including numerous conversations with the representatives of Pakistani authorities, a collection of articles edited by Dr Maleechi Lodhi, *Pakistan, Beyond A Crisis State*, as well as opinions of analysts from South Asia and available reports from non-governmental organisations. The observations from my interlocutors and correspondents as well as from the ordinary citizens of Pakistan, residing both in the country and across the globe, were of great value to my work. I would like to mention here specifically the observations of Mr Khan Zubair Kahlil, journalist of *The Muslim Times*, involved in the Ahmadiyya movement, as well as a Pakistani army officer who asked me not to mention his name. I would also like to thank all who tried to explain to me the intricacies of the social and political life of their homeland.





1. HISTORICAL CONTEXT OF THE TRANSFORMATION AFTER 2008

When looking at the past political events in Pakistan we may observe a certain regularity as regards the power system, namely that the periods of democracy alternate with nearly ten-year-long periods of military rule. The complex political and social situation has not helped in finding an appropriate solution for the Pakistani democracy where the political scene is dominated by two permanently conflicted large parties – Pakistan People’s Party (PPP) and the Muslim League – often referred to as the family businesses since their leaders come from two families – Bhutto and Sharif. Each of the democratic periods ended with the country being in deep internal chaos, while the army, with varied levels of acceptance from the society, restored the order.

Since the beginning of the Pakistani state its army has been the most well-organised and disciplined institution in the country. This stems partially from the fact that the army consists of professional, well-trained soldiers, and the army officers are the country’s elite. Moreover, it has so far managed to distribute its resources evenly enough not to cause any internal ruptures. However, the dictatorship, introduced each time under the pretext of a state of emergency and “state necessity”, did not fulfil the aspirations of a large part of the society. Therefore, when after restoring the order the subsequent dictators did not want to step down and searched for legal ways to legitimise their rule, it usually provoked decisive resistance from the elites, backed by the rest of the society, and the leaders were forced to resign. It may be stated that the Pakistani politics, at the elites’ level, is ruled by three powerful actors – the military, the government and the judiciary.

A similar situation happened in 1999 when Nawaz Sharif became prime minister for the second time. The direct cause of Sharif’s fall and the military coup were the consequences of the nuclear tests conducted by Pakistan despite the warnings voiced by the USA. The tests were meant to be a show of strength and a response to similar operations conducted by India. Although they were performed with widespread social acclaim, they resulted in economic sanctions introduced by the USA and the European countries. The ensuing economic crisis affected the entire society.

Another issue which contributed to Sharif’s fall was the armed conflict with India in the Kargil region in Kashmir where Pakistan, led by general Musharraf, took the strategic points and expressly suggested that it might use nuclear weapon. Bill Clinton’s administration reacted very quickly to this situation and forced Pakistan to sign a truce with India and to retreat to its former positions. The retreat under the American pressure caused open discontent among the Islamic parties and in the army. It should be mentioned here that Sharif’s rule was becoming increasingly more authoritarian at that time. First of all, he enhanced his authority by amending the Constitution, angered the judiciary by appointing judges from among his trusted collaborators, tried to curb the impact of the media and appointed his trusted military men for high positions, at the same being unable to pull Pakistan out of the economic crisis. As the IISS observed¹, no one could rule in this way without the support of the army. The army, frustrated with his lack of competence, corruption, infringement of law and growing authoritarian power, clearly started to prepare for a putsch. Fearing the military coup and with Musharraf being away in Sri Lanka, Sharif appointed a trusted man for Musharraf’s post – general Ziauddin Butt,

1. *Military Rule of Pakistan, Last hope of the state*, International Institute for Strategic Studies, Volume 5, issue 9, 1999



and forbade Musharraf to land at any Pakistani airport. However, the men faithful to Musharraf took control over the seat of public television in Islamabad and arrested Sharif and Ziauddin. Thus, the military regained power in Pakistan for the fourth time. Though the international community did not demand the return of Sharif's rule, it signalled that it had to be reinstated in a foreseeable future.

Musharraf did not announce the state of emergency, partly due to the economic crisis and the need to obtain foreign aid. However, he suspended the Constitution and dissolved the Parliament as well as the Provincial Assemblies, although leaving the right of political parties and organisations to conduct their activity. He also declared that he would reinstate the democratic rule after all necessary reforms were implemented.

Although Musharraf was an ideological successor to Gen. Zia ul-Haq, who had supported the process of the state's islamisation, he officially rejected radical Islam and recognised the ideology of A. Jinnah, founder of Pakistan, and Kemal Ataturk, who both had advocated a lay state. As A. Głogowski writes: "Musharraf as the state head tolerated the activity of radical Islamic groups, using their guerrillas to disrupt the manifestations of opposition parties – the PML and the PPP. Once again the religious parties became the political base for a military dictatorship. Similarly as in 1999, the leaders of Islamic parties overvalued their own importance and underestimated the power and political ambitions of the army. Musharraf regained control over those spheres of life, which in the '80s were administered by the armed forces, making Islamic politicians unable to actively govern or hold administrative functions" (for instance, he rejected the proposition to have a representative of the Jamaat-e-Islami sitting in the newly created National Security Board). The events of 2001, and the attack on the World Trade Center in particular, brought grave consequences for the political decisions made by Musharraf. He once and for all lost the support of Muslim political parties and of a large part of the society as well. Therefore, he decided to cooperate with the USA which in return immediately lifted the economic sanctions.

He disassociated himself from the Islamic parties and joined the fight against global terrorism, causing an upsurge of violence in Pakistan in the form of numerous terrorist attacks in which approximately 30 thousand people have lost their lives. In Pakistan, the operations in Afghanistan and the so-called "fight against terrorism" are not supported by the society and seen rather as American aggression, which does not mean, however, that the society supports terrorist groups.

The cooperation between Pakistan and the United States has from the very beginning been marked by mutual distrust. The USA demanded from Pakistan that more strict control be introduced on the border of Pakistan and Afghanistan, which in fact had never been properly controlled as it stretches over a mountainous region. Although the troops were sent there, the task proved to be unfeasible. The borderland inhabited by Pashtun people, professing a radical version of Islam, had not been controlled in the past by the British, nor by Pakistan, which allowed for free movement of people and goods. The authority of the Pakistani government over this territory had been based on constant negotiations with the tribal leaders. The attempt to impose order on this territory failed and the situation was further exacerbated by incidents with the unmanned American aircraft and their operations on the Pakistani side, which brought deaths of civilians and damages of civilians' property. Pakistani people, who negatively perceive the American invasion of Afghanistan, think that the deaths of civilians are the main reason for the growing radicalism and the new terrorist attacks. This stems from the culture of the northern tribes, where the revenge of the death of a family member is a question of honour. Hence, each dead civilian means several new jihad militants and sparks support for such actions among the victim's relatives. The rise of radicalism in the northern border regions of Pakistan has caused a serious threat to the country's security and independence. In 2007 a rising of Taliban militants took place in the Swat valley and despite the truce made with the Pakistani government and the consent to introduce Sharia law in this region, the Taliban did not cease their operations and



moved forward to the Buner region located one hundred kilometres from the capital city, which had to prompt a decisive reaction of the army. The control over the Swat valley and the remaining regions previously taken over by the Taliban was regained only in 2011 as a result of a military operation.

The USA accused the Pakistani secret service (ISI) of supporting the Taliban, since in the 80s the ISI trained Mujahedeens (including the later Taliban) to fight against the USSR (financed by the USA, among others) and in the Jammu-Kashmir region. These contacts changed into business relations under the Taliban rule and flourished during the times of the Islamic Emirate of Afghanistan. Moreover, one of the largest ethnic groups in the Pakistani army, second only to the Punjabi, are the Pashtun who are naturally not willing to fight on the American side.

The decline of Musharraf's popularity was also caused by such events as the insufficient rescue actions after the earthquake in 2005, using the army in the attack on the Red Mosque in 2006 in Islamabad, and his conflict with the Supreme Court.

Musharraf did not outlaw political parties under his rule and even founded his own – the Pakistani Muslim League (Q)-Quaid-e-Azam. While promising the return to the democratic system, he initiated actions aimed at retaining his authority as the president. In order to hold the office of both the president and the commander-in-chief at the same time, he needed a positive opinion from the Supreme Court. However, the court did not issue such an opinion, provoking a conflict between Musharraf and the judiciary. The General also contacted Benazir Bhutto, who at that time resided in Great Britain, and promised amnesty for her as well as other persons accused of corruption in 1999, in return for a deal securing him the office of the president. His resignation from the military office did not help him in retaining the power. Although the Electoral College did elect him for president in October 2007, his term did not last long. Already in July 2007 the All Parties Democratic Movement was set up, comprising 32 Pakistani parties, including Sharif's Muslim League and the Pakistan Tehreek-e-Insaf, Pakhtunkhwa Milli Awami Party, Muttahida Majlis-e-Amal (Coalition of Islamic Parties) and others, which declared they would boycott the elections if Musharraf did not resign from the office, claiming they had doubts as to the honest execution of such elections with him as the president. The Pakistan People's Party did not join the movement.

On 18 October 2007 an attempted assassination of Benazir Bhutto took place, after which Musharraf introduced the state of emergency on 3 November. However, he did not cancel the elections scheduled for 8 January 2008. Following Benazir Bhutto's assassination on 27 December during the electoral campaign there were again doubts whether the elections should be held but they finally were carried out on 18 February 2008.

The PPP won the elections with 89 seats, followed by Sharif's Muslim League with 66 seats while Musharraf's Muslim League took 54 seats. The PPP and the PML-N created a coalition government and agreed that it was necessary to remove Musharraf. Aware that he would not be able to maintain his office in the light of other parties' prevalence in the parliament, Musharraf handed in his resignation. On 6 September the presidential elections were held, won by the husband of Benazir Bhutto, Ali Asif Zardari. The rule of the PPP has not been popular with the Pakistani society, not only due to a series of scandals compromising the government representatives but also as a result of the contemporary economic situation.

The government is unable to ensure appropriate supply of energy, which directly affects the production and the well-being of an average citizen, and often there are shortages of such basic products as sugar, flour or oil. The opposition parties demand the resignation of prime minister Giliani and earlier elections, however, it is highly probable that the present government will govern until the end of its term, and thus will become the first government to last that long.





2. PAKISTAN AND ITS INHABITANTS

The territory of Pakistan covers the area of 796,095 km². Pakistan borders with Afghanistan, Iran, China and India. Its geopolitical location has from the very beginning directly influenced the state's politics and internal situation.

The society of Pakistan is highly diversified ethnically. Among the largest ethnic groups are the Punjabi 44.68%, the Pashtun 15.42%, Sindhi 14.1% and the Sariaki 8.38%, while Mohajirs (refugees) account for 7.57%, together with those who came to Pakistan from India after the 1947 division, the Balochi for 3.57% and 6.28% comprises other ethnic groups.² The official Pakistani language is Urdu while English remains the lingua franca of the Pakistani elites. However, in everyday life the inhabitants speak in local languages – Punjabi 48%, Sindhi 12%, Saraiki 10%, Pashto 8%, Balochi 3%, Hindko 2%, Brahui, Burushaski and others 8%.

2.1 REGIONAL DIVISION

There are vast discrepancies between the development of the main provinces as well as within them. 56% of the population live in Punjab and this is also where 75% of the country's industry is concentrated. There are three main regions in this Province.

The capital city of the first of them, Punjab situated in the central north, is Lahore. It is an agricultural land concentrated along the rivers with an irrigation system. Nearly half of the agricultural production of Punjab comes from the Faisalabad, Multan and Sahiwal districts. The region's cities are the centres of the textile industry. The second region is called Potwar (north-west Punjab). Potwar is also an agricultural region, however, water shortages and infertile soil made people migrate to larger cities, such as Lahore or Rawalpindi, and also abroad. This is the region from which the British and until recently also the Pakistani recruited most of the army. The third region is the southern Punjab. Contrary to the remaining regions where the feudal system is in decline, here a strong dominance of land owners has remained. In terms of the culture this region is connected with Sindh (thus the widespread support for the PPP, unlike in the remaining parts of the province relying on industry, which unsurprisingly back PML-N). This region (for instance Jhang) is populated largely by Shias and features the highest number of religious conflicts.

The capital city of the **Sindh** province is Karachi. The city's population may amount to approximately 18 million people, it is an industry centre (with one third of the country's industry) and a political centre of the province. Karachi generates a significant per cent of the state's revenues and this is where the banking sector has its main seats. The region is populated by numerous ethnic groups: the Punjab (approx. 14%), the Pashtuns (over 11%), 21% speak Urdu including mainly Mohajirs. The remaining part of the region, the so-called internal Sindh, consists of agricultural lands, owned by great conservative clans led by the local *waderos*. The region is highly underdeveloped which is ascribed to its complex patronage system.

Another province is Balochistan, with the capital city in Quetta. The province covers 43% of the country's area and is inhabited by only 7% of the Pakistani population. These areas are the place of natural resources' extraction (natural gas and coal satisfy one third of the country's needs).

2. Based on: *CIA World Factbook 2012*, <https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html>.



The region's inhabitants are the Balochi and Pashto tribes as well as Khazar tribes. Balochistan is culturally related to Sindh and many of the Sindh and South Punjab clans originate from there. The Balochi have the lowest levels of educational attainment among ethnic groups in Pakistan, which is caused by their conservative culture and social structure. Underdevelopment of this province to some extent also stems from the fact that the income were divided between the provinces by the central government on the basis of the population and the population of Balochistan is small compared to other provinces. At present some changes to the income distribution have been introduced. The north of the province is inhabited by the Pashtun, originating from Afghanistan, who became Pakistani citizens due to the demarcation of the border between Pakistan and Afghanistan by the British (the so-called Durand Line). Since the end of the 70s many Afghan refugees came through the border, fleeing from the war. The Balochi feel threatened by migration to their province, particularly as regards the people from other Pakistani provinces. In 2000 a rebellion started in Balochistan, under the leadership of the Marri tribe, caused directly by the construction of the water body in the port of Gwadar (south-west Balochistan). In 2005 the Bugti tribe joined the rebellion, together with Sardar Nawab Akbar Bugti as their leader, demanding higher shares in the natural gas extraction from the drill pads in Sui. The Pakistan's government managed to stir up the conflict within the clan and exclude some of its branches from the rebellion. The Balochi culture, similarly to the Pashto culture, is based on a tribal code. The code states that one has to, for instance, revenge the death of a relative, fight for the person taken under protection, even if risking one's life, be hospitable, refrain from killing women, Hindus, servants or boys (those who do not wear trousers yet), refrain from fighting in the case of intervention by a woman, a Sayyid or a mullah with a Quran on this head, refrain from killing a man who takes refuge in a temple, as well as to punish adultery (any illegal sexual relation) with death. Observance of the tribal customs is the main hindrance to the development of this area. The government policy consists in negotiations with Saradars (tribal leaders) who seat in the province's government and hold other important offices, in return for the authorities' loyalty.

Khyber-Pakhtunkhwa, formerly known as the North-West Frontier Province (NWFP) comprises two main geographical regions – the northern mountainous region spanning the areas from Hindu Kush to Peshawar and the southern area covering the territory from Peshawar to Derajat, with dominating agriculture and forestry. The region accounts for approximately 11% of the population, including mainly Pashto tribes, Tajiks and Hazaras speaking Hindiko while the south is inhabited by the Balochi who use the Saraiki language. In this region the civilian judiciary power has never been properly established, which was reflected in the demands to introduce the Sharia law there and was the cause of the 2007 rebellion in the Swat valley. Pashtun people live also on the Federally Administered Tribal Areas (FATA), with the population of approximately 3.5 million of people. It is the least developed region. Only 30% of men and 3% of women are literate. The region is governed by maliks, the so-called political agents, the most influential representatives of the tribes (the title is not inherited). The legal act which regulates the actions of the authorities is the Border Criminal Code (FCR) based on the tribal code, the Pashtunwali.

2.2. ECONOMY

The Pakistan's economy is based mainly on agriculture and agricultural land covers over 33% of the country's area. The main crops include wheat, rice, corn, chickpea, sugar cane and cotton. The most developed industry sectors are the textile sector, production of nitrogenous fertilisers and the food sector. Pakistan is also rich in natural gas, oil, hard coal, chrome ore, rock salt and precious stones.

Under Musharraf's rule, in the period 1999-2008, stabilisation of the economy was observed, and the economic growth was between 6.6% and 9% annually. Despite the periods of economic growth, Pakistan is unable to match the pace of its population growth, which in 2010 amount to 1.8.

The economic situation in the recent years has to a large extent been affected by the political situation, including the system transformation and the consequences of Pakistan's involvement in the military operations in Afghanistan, which brought about terrorism and the lack of internal security. The low economic growth was also caused by the floods in 2010 in the provinces of Khyber Pakhtunkhwa, Punjab and Sindh, and, obviously by the global recession.

The analysts mention many aspects which have detrimental effect on the Pakistani economy, including:

- government's attitude to the strategy for economic revival,
- lack of appropriate leadership in economic matters,
- lack of a clear division between the competence of the central government and the governments in the provinces,
- relying on the Central Bank as regards fiscal deficits,
- not attaching sufficient importance to Pakistan's participation in the global market and
- lack of coherent fiscal policy.

The tax collection rate in Pakistan is only 9% (the lowest rate in South Asia). Only 1% of citizens are registered as tax payers. The ineffectual attempts at reforming this matter are a serious threat to the country's financial stability. This concerns particularly the agricultural sector and the services sector – although both industries are the most developed in the country, their participants do not pay taxes. Agriculture accounts for 22% of the GDP, however, the collected taxes in this sector amount only to slightly more than 1% of the revenues. The global increase in the prices and the establishment of the purchase prices at a much higher level than the import parity prices brought an increase of income for the holdings, however, still no obligation to pay taxes followed this. The similar situation can be observed in the services sector which accounts for 53% of the GDP. The attempts at introducing a new fiscal system have failed due to the resistance of the governments in the provinces. As M. Lodhi comments: "Until this day the provinces have not started to collect taxes, take the responsibility and employ officials for this purpose".⁴

In 2011 the gross domestic growth was 2.4, despite the anticipated 4.5% growth. The growth in the agricultural sector was only 1.2% and not 4.5 as forecast, due to the floods in 2010 and the damages in cotton (more than 13%) and rice crops (30%). In 2011 the income per capita amounted to USD 1254. The global increase in the prices of oil brought about serious problems with energy supplies, which was one of the factors contributing to the decrease of investments, from 15.4% in 2010 to 13.4% in 2011. Pakistan's budget deficit is 5.7%. In the services sector an increase was observed, with 4.1% in relations to 2.9% in 2010.⁵

3. Based on Lieven's book, a quote from *District Gazetteers of Baluchistan*, vol. I, p.128.

4. More on the recoverability of taxes in: M. Lodhi, *The Fiscal Challenge*, article of 19 April 2011.

5. Based on: Economic Survey 2010-2011, *Overview of the Economy, Pakistan*.

It is commonly believed that the Pakistani economy is based mainly on foreign aid, primarily from the United States (since 2002, 825 million annually) and in the form of loans from the International Monetary Fund. Another important source of income are the Pakistani emigrants (approx. 1 billion monthly). There is no doubt that this situation may not be resolved without fundamental reforms of the already mentioned fiscal system, and without eradicating the feudal system which hampers such reforms.

2.3. EDUCATION

According to the recent census of 1998 (the new one is under way – April-May 2012), only 55% of the population can read and write, and in this 67% of men and 42% of women. These are the lowest figures in South Asia and there are vast discrepancies as regards the sex, region and urban and rural areas.

Only 22% of girls have a primary school diploma, in comparison with 47% of boys. In Balochistan, as few as 32% of women can read and write, compared to 80% of men from the city of Sindh.⁶ The present government has promised to reduce illiteracy to 20%, however, there are doubts whether it will succeed since only 2% of the GDP was allocated to education. Moreover, in 2010 the expenses on higher education were cut by 1/3.

These low rates are most often explained with the lack of funds and the low earnings of teachers in public schools, which, however, may not necessarily be true. The absence of teachers is a more serious problem (10-15% of them do not show up at schools, and at the same time collect the salaries). Approximately 6% of children attend madrassas – the Koranic schools.⁷ Madrassas have at present a bad reputation as the places where children are recruited and trained for Mujahideens. However, since the beginnings of Islam they have had primarily educational role, and not limited only to religious teachings, and they offered the poor the possibility of learning such basic skills as writing, reading and counting. The madrassas which teach the Salafic version of Islamic law are often financed by Saudi Arabia. These which teach the puritan version of Islam are located mainly in Southern Punjab and Pakhtunkhwa, and they were developed under the rule of Gen. Zia ul-Haq, in his pursuit of the country's islamisation. Following the demands from the USA, Gen. Musharraf introduced two legal acts under which the madrassas have to be registered and their curricula have to be standardised. This process was meant to be supervised by the Pakistani Madrasah Education Board. However, until this day the activity of the Board is limited.

Each of the political parties calls for improvement of the education system in their manifestos but so far this demand has only been used as an element of the campaign. Recently, Mian Shahbaz Sharif, Chief Minister of Punjab, initiated a programme of handing 100 thousand laptops to students. The computers are distributed in the Colleges. The programme was criticised by Imran Khan as an element of the election campaign among the youth, however, regardless of its reasons, the programme's goal is a positive one. However, what exerts the most detrimental effect on the education system is the culture of the tribes inhabiting the northern territories of Pakistan, where education among women is extremely not popular (cf. The data on literacy among women cited above, 3% in the FATA).

6. <http://www.worldbank.org.pk/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/PAKISTANEXTN/0,,contentMDK:21608863~pagePK:141137~piPK:141127~theSitePK:293052,00.html>.

7. <http://dawn.com/2011/03/09/education-emergency-pakistan/>.

3. SOCIAL SYSTEM IN PAKISTAN

In order to understand the present situation in Pakistan and to answer the question about why the Pakistani political system is so highly dysfunctional and why it has been so difficult to create an efficient political system, one should analyse the complex social structure of this country. And this can be done only when taking into consideration the anthropological research which is essential for understanding the problems of Pakistan. Unfortunately, the western analysts and media rarely rely on such research, thus presenting erroneous conclusions. As Lieven rightly writes: "As a result of this lack of basic information, too often in Western analysis, when local forms differ from the supposed Western 'norm' they are not examined, but are treated as temporary aberrations, diseases to be cured or tumours to be cut out of the otherwise healthy patient's system. In fact, these 'diseases' are the system, and can only be 'cured' by a revolutionary change in the system." Drawing conclusions about the political system of Pakistan solely based on the Western criteria is a mistake. Therefore, I will use in this chapter some long quotes from such important studies as the PhD thesis of S. M. Lyon "The Power and Patronage in Pakistan" as well as the studies by Shandan Khan Mohamand and Haris Gazdar included in "The Social Structures in Rural Pakistan". I also believe that this chapter may be helpful for those considering refugee cases, e.g. connected with the land conflicts, complaints on the actions of the police or local authorities, and this may help in verification of the information gathered here since, regardless of the testimonies' credibility, they may also in some fragmentary manner describe the specific relationships and reality of Pakistan.

The social structure of Pakistan varies between the provinces, and even some villages, however, some basic elements are common for the entire territory. In general, there are two main family and tribal systems on the area of the NWFP among the Pashtun, the Balochi and other ethnic groups, and in Punjab and Sindh a family and caste system is observed, called biraderi (biradiri). However, the migrations, geographical features and local traditions have impact on the specific nature of the system in this area.

Regardless of the specific system and the part of the country in which it functions, the traditional system is based on kinship and the family is the smallest unit. "At a basic level, the role of the family is one of procreation governed by the rules of kinship, such as those governing patrilineal or matrilineal descent. Furthermore, it is also the family that acts as the first and fundamental channel for socializing and training individuals to understand the wider rules governing society. However, family and kinship structures cannot be equated, or be said to perform similar roles. Kinship includes legal, economic, and ceremonial functions, and cannot be defined in purely genealogical or biological terms".⁸ The basic rule governing kinship is an endogamous marriage" (that is a marriage between persons from within the own group, in Pakistan often between cousins, and more specifically – the grandfathers of the couple are siblings). The endogamous level of kinship is called quam.

"The Social Structures in Rural Pakistan" describes the field studies conducted in seven villages which are typical for Pakistan: Upper Dir, Mardan (NWFP), Chakwal (northern Punjab), Toba Tek Singh (central Punjab), Muzafarrgarh (southern Punjab), Sanghar (Central Sindh) and

8. Shandan Khan Mohamand and Haris Gazdar, *The Social Structures in Rural Pakistan*.



Thatta (southern Sindh, coast). I will describe here the most important details of the systems presented in this research as this will provide a general insight into the structure of Pakistan's society and will help in understanding the society's complex nature and the political processes at the local level.

At the village level there are two key divisions in the social hierarchy: ethnic division, class division, income division, and division based on the proximity to certain infrastructural amenities, such as the main road, however, the economic status does not determine the position in such hierarchy.

In Dir (Khyber Pakhtunkhwa) two main groups may be described: agriculturalist Pashtuns, who are land owners, and Gujjars who are a herding group. In this village a decline of the typical hierarchy is observed, due to the historical events when the Pashtun and Gujjars joined forces to overthrow the nawab of Dir in the 60s. The Pashtun are divided into tribes and within the tribes there are subsequent divisions according to the kinship lines. The body which resolves disputes and makes important decisions is the jirgah – a tribal council composed of the representatives of one or more families, depending on the situation. The criteria for sitting in the jirgah include sex (women are excluded) and age, while material status is not important. One group may include the supporters of different political parties. The inhabitants of Dir support the PPP or Jamaat-e-Islami. Voting is to a large extent independent and influenced by the consultations with the influential inhabitants of the village. The choices are made mainly on the basis of whether a particular candidate has actually done anything for the village's development. Women do not have IDs, they do not vote and according to the above-mentioned research they are even not aware of the fact that they could participate in the elections. They perceive this as an exclusively male activity. The mobility of women is limited to moving in groups within the village, and outside the village – only when accompanied by men. There is no hierarchy in terms of access to social services in Dir.

Meanwhile in Mardan, located in the agricultural part of Khyber Pakhtunkhwa, the social relations are quite different and the social hierarchy is centred around the land owned. The head of the village is usually the man who owns the largest part of land (naik – a hereditary title). Land-owners (khan) are also the owners of those plots on which houses are located and though this lease does not entail payments they may at any time demand free of charge labour from their lessees. Similarly, the superior body in the village is the jirgah, however, here it is composed of khans. The jirgah resolves all disputes. In general, the police may not be notified without prior reporting of the case to the head of the village, who decides on the manner of resolving the problem.

In Chakwal (northern Punjab) the most important division in the community runs along the clans – biraderi, and the castes (most often connected with the profession). The status of a caste depends on their position within the biraderi system. In urban parts of Punjab the castes have been marginalised. Each clan has its own leader, chosen on the basis of his specific features, owned property and his connections with political parties. However, the main criterion used when choosing a leader concerns his mediation skills in contacts with the police. In the Indus civilisation a body correspondent to jirgah was a panchayat, a council of the elderly, but it is rare now in this area. The majority of problems are solved by the leaders of clans, members of political parties, influential persons and state officials. The most important divisions on which the hierarchy is based stem from the access to land and property. However, this discrepancy has only social importance and not economic one, as most inhabitants are employed by the public sector, including the army.

Toba Tek Singh (central Punjab) – here the most importance is attached to the biraderi system, as in the entire Punjab. The group which is placed highest in the hierarchy are landowners, while *kammis*, the service caste, and Muslim Sheiks have the most underprivileged position. Each clan is governed by a leader, chosen mainly on the basis of the property owned and his influence. The clan leaders engage in negotiations with each other to establish their relations. The leaders who have the dominant position in the hierarchy are the patrons of less influential social groups,

they deal with loans, dispute resolution and they usually convene a panchayat. The political mobilisation in the village takes place at the level of clans and the leaders create main connections between the parties' candidates and the voters. The leaders negotiate who they will support in elections but sometimes they may create factions among them.

Muzaffargarh (southern Punjab) – this village is quite specific as its clans are segregated according to the area they inhabit. Each clan has its leader, chosen on the basis of his personal features, property owned and connections with public officials and politicians at the local and regional level. There are no formal panchayats and though the caste leaders play an important role when it comes to dispute resolution, those disputes which concern money, land and access to water are resolved by local landlords, who are also main money lenders.

Sanghar (Sindh) – similarly as in Punjab, the most important element of social structure here is the clan, however, in Punjab the social status of each clan is determined by the historical context, its access to land and the property owned, while in Sindh the status of biraderi groups is generally equal. Each clan has its leader – wadero. Several waderos form a panchayat which resolves disputes. The decisions of this council are binding. Waderos are usually landowners and patrons for their lessees, as well as for poorer clan members who depend on them financially. They have also connections with prominent landlords and state officials and their importance depends on the extent of their influence on the economic status of their clan. The least privileged group in the hierarchy in Sindh are the Bheels who profess Hinduism.

Thatta (southern Sindh) – there are no arable lands here, and hence there is no important hierarchy based on the land owned. The majority of inhabitants support themselves on fishing and craft and are equally poor. The hierarchy of the clan is centred around the ability to motivate the group to acquire means of support in the light of the changing market situation. The clan is led by a wadero, however, due to his limited economic power, and thus limited ability to mediate, people contact directly the police. There is no panchayat.

Apart from the social system based on the hierarchy, another important system in Pakistan are the connections between the patron and the client, with the essential role of the family. The aim of each group is to create the largest possible network of connections in order to attract the highest number of patrons and clients. Moreover, a patron or a client of one family automatically becomes an element of an extended network of relatives. For instance, a lessee is a direct client of a landlord and thus he may ask him to intervene not only in a case concerning him but also in a case which concerns a more distant relative.

In various systems characteristic for Pakistani villages, jirgahs, panchayats or waderos have a similar role in the political process. The parties' candidates who would like to obtain support have to contact the most influential inhabitants with whom they negotiate the support of the entire village or a larger area, and with whom they divide the profits resulting from such support. The persons with the lowest position in the hierarchy may not decide on their own and the leader of their group or a superior landlord makes the decisions for them. The authors of the study⁹ describe an extreme example of imposing the decisions during the elections in Sanghar, where the supporters of the PPP were deprived of their lease one week before the 2005 elections, with the order to vote for the Muslim League and their lease was to be renewed only after the elections' results are announced. Such distortion of democratic principles, resulting from the traditional hierarchy system where a part of the society is entirely dependent on landowners and employers, is very hard to change and to a large extent it thwarts the reforms, for instance the reform introduced by Gen. Musharraf aimed at establishing local authorities. These difficulties are rooted in the fact that the Pakistani democracy does not protect the interests of the society,

9. *Ibidem*.



it does not provide tools for controlling land owners, and most importantly it preserves the status quo. Furthermore, the limited access to education (nearly 50% of the society is illiterate), lack of other forms of protection from the state and major abuse of power in this area since education and health service are often governed by landowners (one of Musharraf's task was to resolve the problem of "dead schools" which existed only on paper but received state subsidies anyway), cultural and religious restrictions, such as segregation of women and their restricted participation in the social system, perceiving the interest of a group as more important than the needs of an individual as rooted in the tradition – all this negatively affects the possibility of introducing changes.

Obviously, one may ask why the system presented above, based on the feudal system and the total subordination of the lower classes and less influential clans, is not challenged by the underprivileged social classes. Apart from many obvious reasons, such as the social division legitimised by tradition and strong regional differences which make joint actions impossible, it should be noted that this system still functions and in fact it does provide for the basic needs of a given community through the dominant patron/client system, thus preventing a rebellion.

There are cases when the local landlords do not fulfil their basic duties towards their clients, and then they try to rebel, but with this power system, the lack of means and under the pressure exerted by those in power, it is impossible to win greater support. In fact, even voting against the will of one's patron may bring negative consequences for the entire group. We may describe here the case of illiterate Mai Jori of Goth Gulham Muhammad Jamali in Balochistan, mother of nine, who was so desperate to improve the situation in her village (lack of potable water, the nearest well was 2 km away, no irrigation systems, only one medical point in the entire village with 6 thousand inhabitants) that she decided to take part in the elections for local bodies as a candidate of the Awami National Party in 2010. It was an undeniable act of courage, especially in the light of the local strict tribal code – for instance, in 2008 two young women were buried alive for their immoral conduct, all according to the code. Mai Jori obviously lost, winning 419 votes in her village as compared to 27,316 votes for the local landlord. Other inhabitants tried to stop her campaign in all sorts of ways, her husband was accused in court cases based on false depositions, he was offered job in return for preventing his wife from running in the elections, and even a lookalike was employed, who publicly declared that she had withdrawn from the elections.¹⁰ Despite the lost elections, the participation in the campaign itself was a moral victory. Unfortunately, the press reports do not say whether her efforts and the fact that the difficult situation in the village was exposed, as well as the media coverage of the campaign, have brought any significant changes.

S. M. Lyon lists the following main social roles of a landlord towards his lessees:

- form a link between the people and the government;
- ensure that in 'times of distress' the village gets government loans;
- ensure that the village takes part in any public benefits on offer;
- use their influence on behalf of villagers involved in court cases or otherwise in trouble;
- in cases of theft, elopement, or dispute in the village call together the village council;
- in addition they should display generosity with food and money.

One of the means of ensuring that landowners are able to carry out all these responsibilities is by establishing a semi-public guest house. These are restricted to men but are open to all villagers and visitors who seek help from the zamindar. It is the meeting place where the zamindar is able to remain informed about village affairs. Such houses in Punjab are called *dera* and in NWFP – *hujra*.¹¹

10. [Http://dartways.com/heroes/8](http://dartways.com/heroes/8).

11. S. M Lyon, *The Power and Patronage in Pakistan*, PhD thesis, Durham University 2005.

Pakistani peasants do not seek first protection from the state since they know it will not be effective. A poor village inhabitant, in order to fill in the FIR (First Incident Report), an essential step in the procedure of reporting a crime, has to first obtain consent to do so from an influential police officer. In his study Lyon describes his conversation with a police officer from a police office near Bhalot, where the police officer explains to him that he is too busy to deal with the cases reported by illiterate persons. He requires poor villagers to first have their case filtered by someone of good reputation known to him or his officers.

There are very strong connections between the local elites and the police. In rural areas the police were very aware of the power held by the elites and rarely do anything which would change the status quo. When called to intervene, they would first consult with the local landlord and most probably would act as he suggests. The appropriate intercession from a landlord may save someone from arrest and punishment. On the territories inhabited by Pashtuns, in case of a major conflict, the police detain the main leaders and then order that a jirgah be called in order to solve the dispute.

Poor villagers also hesitate to go to formal courts because in most cases the objective of the courts is incompatible with the objective of the plaintiffs. Court cases can take years to complete. Furthermore, the system of appeals tends to favour wealthy plaintiffs who can afford to engage lawyers for extended periods of time. They want the judge or arbiter to consider aspects of the case which may not formally be considered under rules of evidence. (The arbitration proceedings are aimed primarily to solve the conflict and not to establish the blame. – author's note). Finally, they want to know something of the character of the person or people involved in rendering the final decision. The impartiality and formality of Pakistani courts, along with the cost and the requirement that documents be produced, encourage poor villagers to opt for local arbitration in the first instance.¹² Moreover, it should be added that the civil law judiciary has never been in fact introduced on the northern territories.

As M.S. Lyon concludes, the contact of the village inhabitants with the state apparatus is minimal. The majority of these people are illiterate, although theoretically education is obligatory in Pakistan until the fifth class. However, less than 40% graduate from the primary school (30% on average). Being largely illiterate, the village inhabitants need help with such matters as applying for an ID, which is a complicated issue since not all births are recorded, paying their electricity bills (and reading them, first for all) and with any other formal matter.¹³

The illiteracy of the society is undoubtedly a very important factor which helps the influential groups in Pakistan to maintain their power and so far, despite the attempts pursued for over 60 years of the country's history, little has changed in this regard. It may be stated that the last reform which gave the local authorities control over education brought about more damage than benefits as it is not in the interest of the local authorities to raise awareness of their subordinates. The preserved level of illiteracy justifies and sanctions the exclusion of a part of the society from the social and political life, not only by the landowners. I may here quote my conversation with a Pakistani army officer who does not see democracy as the most appropriate system for Pakistan. In his opinion it is not compatible with the Islamic tradition where all decisions are taken by the council of the most experienced and educated members of the community, and hence the opinion of the illiterate may not be treated as of the same value and they may not make their own decisions.

12. *Ibidem*.

13. *Ibidem*.





4. ADMINISTRATIVE DIVISION OF PAKISTAN

In administration terms, the country is composed of four provinces: Punjab, Sindh, Khyber Pakhtunkhwa, formerly North-West Frontier Province (NWFP) and Balochistan. The capital city, Islamabad is federally administered, as are 13 Federally Administered Tribal Areas (FATA) and Azad Kashmir.

Four Pakistani provinces enjoy significant autonomy. Each of them is governed by a governor, a council of ministers and a chief minister appointed by the provincial governor and the assembly. The members of the provincial assembly are elected by all eligible voters (of this province). The provincial assemblies have also seats reserved for the minorities. Both the federal government and the governments in the provinces have legislative power and may set up departments responsible for law enforcement.¹⁴ Each government has about 40 departments responsible for economic affairs, health services, agriculture, urbanisation, the judiciary and other fields. The federal government in the designated spheres decides only on the state policies and is responsible for international politics.¹⁵

The present system of local power was introduced by General Musharraf. With the Act on Local Governments of 2001 Musharraf aimed to decentralise the power and enable the society to actively shape the local politics, as well as to ensure development and financial independence at this level and eliminate the divisions between the urban and rural areas. The system consists of three levels:

- zila (district),
- tehsil/taluka (circuit) or city administration,
- union.

At the top of the administrative system there is the district government composed of the executive body of Zila Nazim (major, district head)¹⁶ and the district administration (see Annexes, page 69 of Annex 1). This district government has district offices and sub-offices at the level of tehsil (circuit). These departments report to the District Head. A similar structure is present in the cities. In Punjab, there are four separate cities: Rawalpindi, Multan, Gujranwala, Faisalabad.

The second level in the structure is *tehsil*, in Sindh – *taluka*¹⁷ (see Annex 2). Tehsils are governed by Nazims (Tehsil Head). The city administration is composed of offices and sub-offices of the Local City Councils appointed under the Act of 1979, offices and sub-offices of the Local Government and numerous departments such as the Department of Rural Development, Public Health, Engineering, Housing Construction and Planning, transferred to be administered and financially managed by the provinces' authorities. The structure is similar in both rural and urban areas.

At the lowest level there is the union administration which covers rural and urban areas in the whole district. It is composed of such bodies as the Union Nazim (Head of the Union), Naib Union Nazim (Deputy Head of the Union) and three Secretaries as well as additional personnel (see Annex 3).

14. The division of legal responsibility between the Federal Parliament and the Provincial Assemblies is described in chapter 5 of the Constitution of Pakistan: <http://www.pakistani.org/pakistan/constitution/part5.ch1.html>.

15. More: http://www.infopak.gov.pk/structure_government.aspx.

16. In the English texts the names of *Zila Nazim* and *Naib Zila Nazim* are often not translated, or the names of the Major and the Deputy Mayor are used. *Zila Nazim* is the head of the district, while Naib Zila Nazim is the deputy head of the district. Since 2010 the executive authority is also held by the district officers.

17. *Tehsil* and *taluka* (in Sindh) are administrative units within a circuit, and may be compared to the Polish *poviat*. They are often not translated.



The cooperation at those three levels is as follows: the Circuit Council in the same district, apart from the seats reserved for women, farmers, workers and minority representatives, is composed also of nazims from all unions in the district or in the district's cities. Similarly, the tehsil council or the city council, apart from the representatives of various groups, is composed of deputy nazims from all unions in the circuit (tehsil) or the urban unit. The union head or the deputy head of the union are elected at the same time as the candidates for the Union Council, which is composed of 13 elected members, apart from the seats reserved for the above-mentioned groups.¹⁸

The system described above has not fulfilled its task since in many territorial units there has been no promotion of the participation of other groups in the politics and the power was seized by the local elites and influential families, thus enhancing the patron/client relations and gaining more control over a part of such sectors as education or health services. The administrative power was decentralised only partly, since the governments in the provinces have maintained their control over the distribution of financial and human resources to be allocated for operations (not connected with development).¹⁹

For landowners a seat in a local government is a natural thing, source of additional prestige, influence and control, and is used mainly as a new possibility of establishing new patron/client relations and as a protection of own interests. The Khidmat Committees, introduced under Nawaz Sharif to fight with corruption, also have not fulfilled their role. These Committees had the authority to fine people and to suspend civil servants up to grade 18.²⁰ The participation in the Committees is voluntary and they are made up of 'respectable' men from the area. In Punjab they are known for corruption and it is believed that landlords sit in these committees to protect own property and draw benefits from corrupting others. There is a clear conflict between the duties of a committee member and their duties towards the families. A similar situation concerns the Zakat Committees (distribution of charity)²¹ which manage the funds collected for the poor. In Pakistan 20% of income is allocated to *zakat*. Most often these funds are indeed distributed among the poor, however, according to the kinship lines.

At the village level important functions are performed by a numberdar – it is a hereditary position and may be compared to that of a notary as he draws up documents and certifies oral declarations. He is also an important person connecting the village with the local administration.

A detailed analysis of the process of power decentralisation in the historical context has been performed by Ali Cheema, Asim Ijaz Khwaja and Adnan Qadir in their work: "Local Government Reforms In Pakistan: Context, Content And Causes".²² The authors drew attention to the fact that in the history of Pakistan such reforms have also been conducted by non-representative regimes, such as the British rule in the colonial times and the military governments, while each of the civilian governments which followed the dictatorships downgraded the reforms' importance or ignored them altogether (a similar scheme probably takes place now when the local authority is associated mainly with Musharraf). Such reforms caused decentralisation of power of the provinces and at the same time enhanced the centralisation at the federal level. The authors conclude that the real goal of such reforms was to legitimise the authority of non-representative centre by means of circumventing political agents at the level of the province and at the central level. Moreover, the reform sparked a conflict between the government in the province and the local governments. The local governments have little financial resources and a limited ability to make decisions concerning the expenses while the majority of public services fall under their competence. The authors claim that if such authorities are able to avoid the "biraderi" politics, they have a chance to distribute the services better but otherwise such distribution deteriorates. The research presented in this chapter demonstrates that it is the worse scenario that takes place.

18. http://www.nrb.gov.pk/local_government/default.asp.

19. Detailed research of the central government:

20. There are 22 ranks in the civil services, up to the 18th rank, i.e. up to the level of the provincial government – the deputy head and the deputy secretary, in the Police – the head.

21. In Pakistan 20 per cent of income is given to charity - *zakat*.

22. <http://www.hks.harvard.edu/fs/akhwaja/papers/Chapter8.pdf>.

5. ROLE OF POLITICAL PARTIES

The Pakistani themselves, regardless of their social status, have a very negative opinion about the politics. They mainly underline that political parties do not bring together the supporters of a particular ideology and their aim is not to implement a certain agenda but to maintain their status quo and get hold of the state resources only to distribute them among their members. "The politics in Pakistan is business – you invest one dollar and collect hundred thousand".

The general lack of faith in the possibility of introducing any changes in the country can be seen when looking at the 2008 elections where the turnover was only 44%, despite the fact that these were the first democratic elections after a nearly decade of Musharraf's rule.

Lieven described well the mechanism of the Pakistani politics. "Every new Pakistani government comes to power making two sets of promises, one general, one specific. The general promises are to the population, and are of higher living standards, more jobs, better education and health services, and so on. The specific promises are to smaller parties and to individual politicians, who are offered individual favours to themselves, their families or their districts in return for their political support. [...] A part of the favours that governments hand out are meaningless but expensive ministerial posts (more than sixty in the civilian governments of the 1990s and after 2008), tax breaks, corrupt contracts, state loans (which are rarely repaid), and amnesties for tax evasion and embezzlement – all of which helps keep the state poor. As a result, governments simply cannot keep most of their promises, either to the masses or to the political elites. As time goes on, more and more of the political elites find themselves disappointed, and unable in turn to pass on favours to their followers and voters – which means the likelihood of not being re-elected. What is more, even giving a serious favour to a political family is not enough. In parts of the countryside, local politics is structured round competition between particular landowning families, branches of the same family, or family-based factions. That means that the state favour not only has to be large, but has to be visibly larger than that given to the local rivals. [...]"

Meanwhile, at the level of parliament, Pakistan's deep ethnic, regional and religious divisions mean that no party ever succeeds in gaining an absolute majority, even if it is army-backed; and even if it could, it wouldn't mean much, because for most politicians party loyalty means little compared to personal advantage and clan loyalty.²³

The state's failure to improve anything, inept rule and corruption cause growing discontent of the masses, which inclines people to take to the streets or support whoever is in opposition.

Hence, the army seizes the power or the military rule is replaced with a new civilian government, and thus the patronage cycle begins anew.

Lieven gives a series of examples showing how the politics is conducted in Pakistan and of how little importance the political ideology or competence of a given politician is. The choice is determined mainly by family connections and tangible benefits. At times members of one family may be active in political parties of opposite ideologies in order to ensure an appropriate pool of profits in the case of any turn of events. The higher classes are a vote bank for politicians.

23. *Ibidem*, s. 206.



S. M. Lyon among the most important factors important for political leadership lists the following: "factions, or blocs, cut across socioeconomic boundaries, led by individuals who must conform to the shared cultural values of the followers. Factions are organised around personal loyalties rather than common ideology or even common interest. That is, the common interest lay in the strength of the bloc rather than the position of any given member. Individuals may in fact not improve their material position in every allied transaction but they will persist with the relationship because of the longer term benefits and security. Unlike kin based alliances, these alliances are not immutable."²⁴

The characteristic fractions in Pakistani political parties are often created as a result of focus on actions towards a particular person, i.e. a patron when a given group does not receive appropriate shares, e.g. the PPP (Sharpao).

The Pakistani political scene is dominated by two parties: the PPP (Pakistan People's Party) and the PML-N (Pakistani Muslim League-Nawaz). The conflict between the Bhutto and the Sharif families is rooted in the reforms conducted by Z. A. Bhutto as part of "Islamic socialism" when enterprises of the Sharif family were nationalised. The conflict between these two parties has also several main causes which are connected with the strong Pakistani regionalism. The PPP is strongly connected with Sindh while the ML-N with Punjab and each of them represents a different group of voters. The PPP represents large landowners from Sindh and southern Punjab and the westernised intelligentsia. The ML-N on the other hand is connected with the business environment and represents the conservative middle class, while referring to the Islam's ideology and cooperating with the Sunni Deobandi groups.

Punjab is the province of the greatest importance in the country's politics and thus collects the most from the state budget, which is also a reason for some antagonisms between the provinces. There is a particular dislike towards the Punjabi in other provinces as they see themselves as the main force of Pakistan.

A movement which plays an important role in Pakistan is the MQM (until 1997 Mohajir Quami Mahaz (Mohajir Movement) and now, in order to gain a more widespread support, Muttahida Quami Mahaz (United Movement)). It is the only party with the ambitions to become a nationwide party, although at the beginning it represented the interests of only Mohajirs – Muslim refugees from India after the division into India and Pakistan. Mohajirs were in a particularly difficult position in a newly established country since they had left their property and their relations in India. They had no identity or position in the Pakistani social system which is centred around traditional connections. The supporters of this party come mainly from Karachi and Hyderabad.

The Islamic parties have a relatively low support in terms of the number of voters, however, their strength lies in their ability to exert pressure on the politics outside the system.

5.1 DESCRIPTION OF SELECTED POLITICAL PARTIES

PAKISTAN PEOPLE'S PARTY, PPP

The party was set up in Lahore in 1967, with Zulfikar Ali Bhutto, former prime minister of the military government under General Ayub Khan, as its leader. The party's main assumptions include democratic rule, social and economic justice. Its four pillars are as follows:

- Islam is our Religion.
- Democracy is our Politics.
- Socialism is our Economy.
- Power Lies with the People.

24. Lyon: 213-14.

The founders of the PPP declared also they would abolish the feudal system and introduce the principles of socialism. Zulfikar Ali Bhutto did introduce an agricultural reform in 1972, reducing the minimum area of irrigated land to 150 acres. "In order to make it impossible to avoid parceling out by transferring the land to family members, a Land Commission was established which was to annul such transactions concluded after 20 December 1971. However, it quickly turned out that the influential owners had forged the deeds of gift by putting earlier dates. There were also numerous legal gaps which made this easy, for instance the Commission recognised oral transactions if the parties to the transaction confirmed it before officials. It may be assumed that the agricultural reform introduced by Bhutto from the very beginning had been planned as an ostensible operation or a political marketing trick. The family of the leader also owned vast estates in the province of Sindh (their political opponents told anecdotes that the entire province, or at least the city of Larkana, belonged to the Bhutto family) and took advantage of the above-mentioned legal gaps in order not to lose them.

The real "victims" were the families of the PPP's political opponents (factory owners supporting the military rule, drawing profits from lucrative contracts with the army), if they did not manage to draw up appropriate documents.²⁵

The ideological assumptions promoted by the PPP have so far had little in common with the actual political activity of the party which represents the feudal families from Sindh and southern Punjab. However, the party founder Z. A. Bhutto was famous for his oratory skills and often addressed the lowest classes of the society, which has been remembered by them, and his tragic death (execution) added the splendour of martyrdom to his history. Hence, even now he is seen as a charismatic figure and the only politician who fought for the poor. The PPP is inseparably connected with the Bhutto family and only the members of this family may hold the leading positions in the party. The current president, Asif Ali Zardari, is not popular among the party members but his son, hereditary successor, Bilawal Bhutto, is still too young to continue his mother's legacy. However, he is already being prepared to the future political role. The members of the Bhutto and Zardari families are Shias, although they do not manifest this in the public life of the country which is dominated by Sunnis, and they take part in the Sunni ceremonies. The majority of prominent members of this party do likewise. The negative image of the PPP in Pakistan results from its westernised leaders who are associated with the subordination to the United States.

From 1982 the party leader was Benazir Bhutto, who held the office of prime minister in the periods 1988-1990 and 1993-1996, when she was dismissed under the charges of corruption. The charges concerned also her husband A. Zardari. The campaign against their rule was organised by the army (ISI) which feared losing its influence, as well as the Islamic parties. Benazir Bhutto left the country together with her family in 1998 and came back only in 2007, after the talks with General Musharraf during which they had struck a deal – Musharraf was to become president and she was to be given amnesty and candidate in the elections, together with other PPP members earlier accused of corruption. After the return to Pakistan B. Bhutto was assassinated, probably by an assassin connected with al-Qaeda, however, the PPP did take part in the elections and won. Currently, it has the majority of seats both in the National Assembly and in the Senate, and control over the three Provincial Assemblies (apart from Punjab where it was removed from the coalition in 2010).

25. Głogowski: 72.



PAKISTAN MUSLIM LEAGUE-NAWAZ

The present Pakistan Muslim League Nawaz, although historically connected with the Muslim League set up by the founder of Pakistan, Ali Jinnah, was actually established in 1985/86 by General Zia Ul-Haq as an opposition to the PPP.²⁶ It was led by the contemporary prime minister, Mohammad Khan Junejo. After the government of Junejo failed, the PML disintegrated into several factions and in 1993 one of them adopted the name of PML-Nawaz.

Nawaz Sharif and his brother Shahbaz, the party's leading politicians, come from a family of a business man from Punjab who returned to Pakistan from Saudi Arabia in 1947. He had gone to Saudi Arabia with his family after the nationalisation conducted by Zulfikar Ali Bhutto as a result of which he lost a part of his property. Nawaz Sharif had been the Chief Minister of Punjab since 1985 and now his brother Shahbaz holds this office. In the periods of 1990-1993 and 1997-1999 Nawaz Sharif was the prime minister of Pakistan. The party is connected with Punjab and the business environment. Since the conflict in 1999 (a thwarted attempt of seizing the power) its relations with the army have been tense, although it still has some supporters among the military, especially in Punjab. Until 2007 the Sharif brothers were exiled and prohibited from returning to the country and conducting political activity.

The party's Manifesto of 14 December 2007 presented its main goals, including in particular: Improving the functioning of all democratic institutions, improving the material situation of an average citizen, renew the role of the parliament and its Commission in line with the Constitution, promoting the unity of the provinces by maximising their autonomy and decentralising the administration and the budget, recognising the importance of opposition as one of the conditions of democracy, freedom of speech and media, ensuring that the army carries out only those tasks which are prescribed for it in the Constitution, and ensuring respect for the fundamental rights of individuals.²⁷ The PML-N sees itself as a party which represents the modern middle class with conservative and moderate Islamic views. Its support for landowners and lower social classes results from its regionalism and connections under patronage. However, the rule of the PML-N is assessed as significantly more positive than the rule of the PPP, as far as the country's economic situation is concerned.

The PML-N took part in the parliamentary elections in Pakistan in February 2008 and obtained the second result after the PPP, with 91 seats. The parties formed a coalition government but the coalition broke down already in August. This was caused by the fact that president Zardari delayed the return to the office of Supreme Judge Chaudhry and other judges.

The PML-N won the local elections in Punjab where it formed the local government. Its representatives were also elected for the Assembly of NWFP (Khyber Pakhtunkhwa).

The party is against the presence of Americans in Afghanistan and against the participation of Pakistan in this war. Moreover, it also postulates that the dialogue with the Pakistani Taleban should be continued.

At present the PML-N is an active actor of the opposition and supports the actions of the Supreme Court. For instance, it contributed to the resignation of prime minister Giliani and it conducts the campaign aimed at forcing the prime minister to follow the Court's decision which concerns the instituting the proceedings against Zardari regarding corruption and sending an appropriate letter to the Swiss authorities.

26. The history of the PMLN and all PML factions is available at the party's official website: www.pmln.org.

27. Official website of the PML-N, Manifesto, <http://www.pmln.org.pk/manifesto.php>.

Muttahida Quami Mahaz, MQM

Muttahida Quami Mahaz, led by Altaf Hussain, brings together mainly the subsequent generations of Urdu-speaking immigrants from India (mainly from Bihar and Uttar Pradesh), who came to Pakistan shortly after the country was established. The settled predominantly in Karachi and Hyderabad as well as in some parts of Sindh. In 1947 the migrants controlled the army, bureaucracy, economy and political leadership since they were the best educated group in the newly created country. This was, however, a temporary situation. At the beginning of the 70s, when Zulfikar Ali Bhutto came to power, their privileged position in Sindh was undermined, *inter alia*, when the ethnic Sindhi were guaranteed a number of seats in the administration and the Sindh language was made the official language of the province. The MQM supported the coup of Zia Ul-Haq, who used the Mohajirs dislike towards the PPP, but at the state level most offices were soon distributed among the Punjabi.

Until the 80s the population of Mohajirs in Karachi had been the dominating one, however, this was changed by the migrations of the Pashtun as a result of the Afghan war, as well as by the inflow of the Punjabi. Mohajirs perceive themselves as a separate ethnic group with Karachi as "their place". The Party has some armed units which are known for acts of violence, both in the past and today, though now the main axis of conflict in Karachi is the tension between the MQM and the Pashtun (politically represented by their Awami National Party). The main reason behind the conflict is the battle for ethnic, territorial and political domination in the city. Mohajirs claim that the Pashtun do not observe their basic duties, such as paying taxes (on buildings, means of transport controlled by the Pashtun), and, what is more, they cooperate with the Taleban. There are often acts of violence between the two groups. The MQM wants to be a national party, which, however, is not that feasible as it represents the middle class while Pakistan is still a country with dominating rural centres. Still, the party has its representatives in the authorities in Islamabad and in the province of Sindh. In comparison to other parties, the MQM has undoubtedly an impressive programme with the elimination of the feudal system as its main point, as well as a detailed programme of changes in education, health services and in other sectors.²⁸ Officially, it is against Islamic extremism and supports the coalition with Afghanistan. It has many supporters abroad and, next to Jamaat-e-Islami, is most modern in terms of organisation.

PAKISTAN TEHREEK-E-INSAF (PTI)

Pakistan Tehreek-e-Insaf (Pakistani Justice Movement) is a relatively new political power, led by a cricket star (national sports discipline of the Pakistani) – Imran Khan. The majority of supporters of the party are young people, including the intelligentsia. The party origins can be traced to the "Movement for Justice" created in 1997, which postulated Islamic values and criticised the courts, claiming that they protect the Pakistani elites from criminal liability. This movement supported the military coup in 1999, however, it rebelled against General Musharraf when he became president of Pakistan. In 2005, the movement members started a campaign against the alliance with the United States.

In the 2002 elections the PTI won only one seat in the parliament and then boycotted the 2008 elections. The party's motto is: "Justice, Humanity, Self-Esteem". Among the main goals of the party is the improvement of the political system in Pakistan by introducing an independent Electoral Committee, independent judiciary and an independent Office for Liability, as well as the return of the army to their barracks. It is targeted mainly at youths, women and those masses of the society which have no representatives, by promising them: the rule of law and respect for human rights through independent and honest judiciary power, actions for the social and economic development, particularly as regards those citizens who are poor or underprivileged. The PTI has set up a think tank, Insaf Research Wing (IRW), in order to conduct research and find solutions to the Pakistani problems. Its student wing is called the Insaf Students Federation (ISF),

28. Programme: www.mqm.org.



And the party has also a wing composed of women. This party is sure to garner some support in the next elections. In view of the Pakistani army officer, it is the third political power which may win support mainly in the cities where the mainstream parties may lose voters due to their inept actions. It probably will not attract supporters from the rural areas since there (approx. 70% of the population) the factor which determines the choices during the elections is not the party itself but a particular person with the "vote bank" based on a wide family network and the sphere of influence.

At least officially, Imran Khan claims to represent ordinary citizens, including the religious minorities. He also refers to the rules of Islam as the basic values. While the army officer believes that at present the party gains new members from among the opportunist politicians from the ML-N and the PPP, Zubair Kahlil, a journalist, thinks that Imran Khan is supported by the army which in order to win in the next elections. The greatest efforts aimed at promoting support for this party are made in Punjab. The ISI also contributes to the promotion of this party and encourages the elites to sign in. This stems from the fear that in the case of a positive ending to the situation in Afghanistan, such large army will no longer be needed and the government will want to reduce the budget for the army expenses, which the army will not want to accept. It is also believed that Imran Khan has good and close relations with the fundamentalist mullahs and the Taleban and he will never contradict their will, and thus will not introduce freedom of religion for the minorities. At present, he is highly active in the media and after numerous scandals connected with the current authorities (the PPP) he wants the government to step down, hence joining forces with his main rival – the PML-N.

5.2. ANALYSIS OF THE ELECTION SYSTEM

Two various election systems have been used in Pakistan depending on the period: a "system of Joint Electorate" or a "system of Separate Electorate". At present, the latter one is used. The difference between those systems consists in that in the system of Separate Electorate each recognised community votes only for one selected member of their community. The number of seats within each legislative power is limited under a preliminary agreement between communities. The system assumes that affiliation with a given community defines the basic scope of the citizens' interests and protects them. Nonetheless, in such a case the State perceives its citizen and their political identity through the prism of their affiliation to a given community, whether religious or else, and consequently it narrows it down. That, on the other hand, results in the decline of ties to and co-operation between various communities with the exception of the ruling elite classes since small groups see no point in choosing candidates of other communities.

The politicians of each community compete only with each other and have assured themselves a sort of niche or guaranteed vote with no potential risk or challenge arising from other communities. The negative consequences of such a system include increasing of political divisions in the situation when various community subgroups separate themselves and hampering of the return of a minority to mainstream politics.

By contrast, the system of Joint Electorate consists in choosing the representatives by the communities from the same list of candidates. The region's representation is in such a case important for the citizens of all communities, and this way they go beyond their community and are guided by a common interest.

The legal instruments in Pakistan, as well as international conventions and declarations, guarantee the right for all citizens to participate in free elections irrespective of their race, religion and beliefs. In practice, this right is not respected in case of religious minorities, first of all in case of members of the Ahmadiyya movement. Before the elections in 2008, the Election Commission

issued instructions based on the circular [No.F.1 (6)/2001-Cord] of 17 January 2007 to maintain a separate electoral lists system or a "Preparation of Separate List of Draft Electoral Rolls for Ahmadis/Quadianis". "The eighth amendment to the Constitution, enacted in 1985, imposed this separated system. Since then, elections have been held with separate electoral lists for different religious groups. In 2008, for being registered as voters, those who claimed to be Muslims had to sign a certificate of faith and deny the veracity of the holy founder of Ahmadiyya Muslim Community. No Ahmadi would agree to do so; they were thus de facto denied their right to vote." (In 1984, General Zia ul Haq promulgated anti-Ahmadiyya Ordinance XX in which the Ahmadis were outlawed and prohibited them from posing themselves as Muslims and from using Muslim symbols under pain of being punished with imprisonment and a fine.)

Some hope for improvement of the election situation of the Ahmadiyya community is offered by the international measures taken by the Swedish authorities this year. Nasim Malik, a political activist in Sweden, has filed a petition in May this year to the Swedish Foreign Minister, Shadiye Heydari, for a debate in the Parliament about the election rights of Ahmadis in Pakistan. The Foreign Minister visited Pakistan in March, where he stressed the importance of observance of religious rights of minorities and provisions of safety for them. Just like Hans Dahlgren, Human Rights Ambassador, who had a meetings with the President of the Ahmadiyya minority, Tahir Ahmed Malik. In order to work more actively on the problem of religious minorities in Pakistan, the European Union engaged itself in it and has included it as its priority area in this year's visit of the EU Delegation in Pakistan. At the EU level, also a plan with Pakistan has been drawn up, in which the question of free and fair elections will be a high priority. It is also likely that a European Union mission will participate in the elections in 2013. The Swedish Government will attempt to act through EU and UN agencies in order to make it possible for the elections in Pakistan to live up to international standards.²⁹

A detailed analysis of the election system is presented by Crisis Group Asia in the report entitled "Reforming Pakistan's Electoral System". In the opinion of analysts, it requires considerable reforms. The 2008 elections were subject to increased observation of opposition parties, civil society and the media, but they have not reached appropriate standards, and vote frauds took place in some places. The state of emergency was abolished as late as a day before the election campaign, there were still weak legal aspects, including the educational requirement for the candidates to graduate from a Madrasa and incredible electoral lists. The actions taken by the Election Commission were not independent and transparent, and it refused to address a considerable amount of over 2,000 complaints. [...] The way the elections were held in 2008, including the lacking independence of the Election Commission, weak legal structure, defective electoral lists and generally absence of transparency, altogether emphasised the major need to carry out a complete reform of the electorate system.³⁰

On 25 May 2010, the Pakistani Election Commission presented a Five-Year Strategic Plan, which was developed after six-month consultations with political parties, members of parliament and members of social organisations and international institutions. This document defined fifteen core goals; it has been divided into 129 time-bound objectives to be accomplished over time, which represent "the overall vision of the ECP for electoral reform in Pakistan". It applies to a certain number of guiding principles that reflect "the overall philosophy of the ECP", "including the independence, impartiality, transparency and integrity, inclusion of marginalised groups, professional excellence, conducive working conditions and gender balance". Although the plan of the Election Commission is constituted by a bit more than a compilation of goals, even the reforms specified for 2010 have not been implemented. Including the simplified

29. 2011/12: 600 Universal and equal suffrage in Pakistan, Foreign Minister Carl Bildt, Shadiye, <http://www.themuslimtimes.org/2012/05/asia/an-effort-to-restore-the-right-of-vote-for-ahmadies-in-pakistan>

30. Crisis Group Asia, Report N°203, 30 March 2011, *Reforming Pakistan's Electoral System*, p. 9.



elector registration form, which has not been modified. It also applies to the Election Commission demands concerning the publication of information about the income of members of parliament.

The following objectives have been set for 2011: "establishing permanent polling stations after public consultation; providing multiple functions skills to senior officers to prepare them for various roles within the ECP; setting up a computerised electoral rolls data centre; developing and implementing a comprehensive information security and privacy policy; and strengthening the code of conduct for political parties and candidates; ensuring appropriate legislation for development of an electoral disputes resolution system; and conducting research on voting participation of women to formulate appropriate policies; unifying various electoral laws into a single legal instrument; reforming legislation on political finance relating to political parties and candidates; improving the display of the draft electoral rolls and their accessibility to voters, and simplifying all election-related forms; extending the computerised electoral rolls project to countrywide field offices; creating a secure link between polling stations and the computerised electoral rolls database; developing curricula for various training programs and imparting specialised IT training from authorised training centres abroad; redesigning the ECP website to facilitate greater public access to information on the electoral process, including voter information, polling stations, complaint tracking and election results; establishing a permanent media centre at the ECP; and supporting the development and adoption of legislation on the participation of voters with disabilities in the electoral process".³¹

As indicated by the foregoing, the election system of Pakistan needs to be thoroughly reformed and should be included in the parliament's priorities. So far the objectives of the five-year plan of the Election Commission are not under implementation pursuant to the time-bound guidelines, and it is doubtful whether they will be completed by the next elections in 2013.

5.3. POLITICAL PARTIES AND THE SOCIETY

The biggest problem of Pakistan is that the parties, regardless of the preached ideology and political agenda, actually do not represent the majority of population, but build their support on the patronage system. No politician in Pakistan has an opportunity to distinguish themselves and be successful if they do not assure themselves a large number of votes. Individual campaigns are not capable of assuring them a suitable support, and hence they have to resort to family- and clan-based ones, or local ones, and to make efforts to reach electors at the price of tangible promises. The problem is that the main political parties are regional in nature and represent specific elites. PML (N) is supported mainly in Punjab and represents the world of business whereas PPP is linked to Sindh and South Punjab and represents major landowners and liberal elites. Obviously for the price of specific promises, the main political parties also have their electors in other provinces. An exception in this regards is Jamaat-e-Islami, which tries to attract a broader scope of the population, but it is successful mainly in the cities among young people, mainly students. Jamaat is not entirely interested in the working class as it does not have education and is not included in the standards of a party that has an image of a modern and progressive party. To a small degree, it is capable of reaching rural areas because its objectives and ideology are not familiar to traditional and conservative rural areas.

MQM also aspires to be a nationwide party, and it attempts to get rid of the cliché of a party that represents only the Muhajiruns, but also to little avail. Anyway, only those two political parties in Pakistan have a suitable base and organisation similar to the Western standards, and promotions within them is connected with heritage.

31. *Ibidem*.

Political rallies that take place at the village level are first of all aimed at presenting a given candidate to the future electors, and basically often at indicating the person to vote on. The event is carried out in the traditional convention of ceremonies organised with great pomp, such as at a wedding, and everything is accompanied by sumptuous dishes for all the gathered people.

Presentation of the candidate is preceded by a relevant analysis of their capabilities, which involves publication of their network of connections to get the support for the price of some promises or other. An example of a political rally is given by Lyon: When Major Tahir Saddiq, Member of the Provincial Assembly (MPA) started to look for support as one of the rising stars of PML, a wing of Chaudhry Shujaat Hussain, the politicians from the neighbourhood of the Attock District either had to support him or to reject him. Rejection of Major Tahir Saddiq as a human being would be inconsistent since he was a landlord just like others, and he was not able to act independently in the interest of landlords. Anyway, intermediaries in establishing the scope of influence of the Pakistan Muslim League in Gujarat counted on him in his constituency and on impacts in other constituencies in Attock. Friendship or connection with Major T. Saddiq resulted in a connection with the Punjab Governor and his entire network of connections. Sardar Khanzada has organised a political rally to present the Major to potential electors. He invited other landlords and religious leaders from across Attock to welcome the Major.³¹ Further description of the ceremony contains a number of bombastic speeches, projection of a film for the inhabitants of the surrounding villages and a sumptuous meal. At the village level, where landlords prevail, the support in elections is focused therefore on a specific person and benefits that can be derived from them instead of the actual party and its agenda.

Where politics are not dominated by major landowners, and this is the case in Khyber Pakhtunkhwa and in large portions of Punjab, "[t]he key rural politician in these areas is a relatively small landowner (with perhaps 100 acres or so), deeply embedded in a powerful local land-owning clan, with influence over the police and administration."³³

Fast urbanisation of the country is very often quoted as a factor that promotes the decomposition of the fossilised system. However, this process does not take place as fast as wished, partially because growing cities absorb the land of landowners, and hence the price of land increases and their position is strengthened; frequently, in order to protect their interests, they get involved in politics themselves and transfer their set-up with them. Migration also does not change the existing traditions and family- or clan-based links, in particular in major concentrations of a same nationality, which is exemplified by the Pakistani in the Western countries, who do not settle in the community, but instead establish their own enclaves, which are subject to different rules.

Summing up the election-related matters, the choice in an individual case is rarely dictated by one's own preferences, people usually vote this way or another because "the clan, the family, the village votes this way, or because it was always that party that was supported in the given environment and not another one".

The distinct feature of the Pakistani politics is that mobilised political opposition with the support of the society is able to overthrow a dictatorship or an incompetent and corrupt government, yet it is not able to abolish a fossilised social order. It happened this way many times in the history of Pakistan. Pakistan National Alliance (PNA) has overthrown Z.A. Bhutto in 1970s. In 1983, the Movement for the Restoration of Democracy (MRD) united eight political parties, which demanded that general Zia ul-Haq step down and carry out democratic elections. Despite suppressed demonstration and numerous accusations made against it, the President had to step down.

32. Lyon: 211.

33. Lieven: 224.



Similarly, the Pakistan's Long March, which was aimed at exercising pressure on Musharraf to reinstate a supreme court Chief Justice and was supported by the opposition and en masse by the society, has finally contributed to ousting general Musharraf from office. However, the mobilisation of the society in mass rallies might be also a subject of manipulation and it might result in preventing the reforms, just like in the case of the rule of Benazir Bhutto, when Muslim parties Islami Jamhoori Ittehad (IJI) with the support of the army rose against her, which resulted in her government's resignation in 1990.

In the current conflict between the government and the opposition supporting the measures of the Supreme Court, the main opposition parties also plan to organise demonstrations and marches with a view to dismissing the current government. PML-N intends to get in touch with Jamiat Ulema-e-Islam (JUI-F), with all the nationalist parties from Sindh and Balochistan and with PTI (considered to be the main adversary of ML-N) to organise rallies against the current government of Gillani after his conviction by a court. Sharif considers mass street protests and protests in the parliament or resignation of his representatives in the parliament.

Political rallies and manifestations are often accompanied by acts of violence either by the state apparatus or by the competing parties. The analysis of violence in the politics of India is described by dr Krzysztof Dębnicki in his study "Konflikt i przemoc w systemie politycznym Indii" [Conflict and violence in the political system of India].³⁴ The analysis presented in this study applies to a great extent to Pakistan as well. The author draws a conclusion that the Western political system is not suitable for the political reality in India. Just like in Pakistan, it is distorted by internal, traditional set-ups. The Pakistani themselves speaking of violence used by the political parties express themselves in a very general way "this what they are paid for, so they do what they were told to do" or "the Pakistani are very simple people, and it is easy to manipulate them". However, the reasons alone for violence have to be different in various contexts, MQM used violence to pave its way to power, yet I think that explosions of aggression and violence at the lowest level are caused by strict rules of conduct, where in every-day relations there is a stiff hierarchy and an absolute subordination of behaviour to norms, elder group leaders, etc., the crowd in a way unleashes those suppressed emotions, which, when unleashed even by a trivial or unitary incident, end up with an event with serious consequences.

5.4. ROLE OF HOUSES IN POLITICS

It is typical for the politics of Pakistan that the main struggle for power is waged between two parties: PML-N under the guidance of the Sharif family and PPP, the party belonging to the house of Bhutto, at present Bhutto-Zardari, which forms coalitions with minor parties in every elections. The position of those houses is so strong that there is no third political power in Pakistan that would be able to challenge them. Admittedly, the PTI party of Imran Khan sometimes has its say, but the actual support for it will be seen as late as in the next elections.

The Pakistani politics is based on major houses virtually at each level, as written by Umar Cheema, by referring to the main political families as concerns like Sharif Limited or Zardari Limited: "Going by this scheme of leadership, one finds Pakistan divided into two types of families: a few families are blessed with born leaders and the rest of Pakistanis produce born followers. And if the followers raise claim on leadership, they are either sidelined or sacked from the parties and the rest of workers are warned if they try to follow. Right from the PPP, claiming to be the only national party, down to PML-N, PML-Q, PTI, JUI-F, MQM and ANP, the top leadership emerges from single families the said parties and the rest have to wrestle all the time to exhibit loyalty. Only the Jamaat-e-Islami and MQM hold the exception of being major non-family parties."³⁵

34. K. Dębnicki, *Konflikt i przemoc w systemie politycznym Indii*, Dialog 2006.

35. [Http://www.thenews.com.pk/article-38463-Political-parties-or-family-limited-cos](http://www.thenews.com.pk/article-38463-Political-parties-or-family-limited-cos).

Therefore, apart from Sharif brothers from PML-N, there is Nawaz Sharif's daughter, Maryam Nawaz, and his son Hamza Shahbaz who are present in the politics and are recognised as the next generation of that family. The prominent activists of PML-N also include further relatives, who are represented in the National Assembly as well. Just like in PPP, Bilawal Bhutto Zardari became the head of PPP after his mother's death when he was 19 years old. Benazir Bhutto inherited the legacy after her father, but the leadership of the party was exercised by her mother Nusrat Bhutto until she reached the age of majority. Assefa Bhutto-Zardari, Benazir's daughter is a promising party leader and currently is involved in the polio eradication campaign. Zardari's daughter, Faryal Talpur, also sits in the National Assembly.

PML-Q is controlled by the family of Chaudhry from Gujarat. Chaudhry Shujaat is the main president of the party, his cousin, Pervaiz Elahi, the head of PML-Q in Punjab. The family members also sit in the Parliament. It looks similar in other parties, where already the third generation inherits the party leadership. U. Cheema criticised Imran Khan, who is famous for his criticism of major houses and their dynastic politics, indicating that Hamid Khan, his cousin, is the elder vice-president of PTO whereas another cousin, Saifullah Niazi, is the party's Secretary General. Other relatives, including Inamullah Niazi, are also involved in politics.³⁶ Nonetheless, Imran Khan, when condemning PPP and PML-N, claims that anyone can become the leader.³⁷

5.5. MUSLIM RADICALISM IN POLITICS

Pakistan was established as a state of Indian Muslims, where Islam was the primary driver that combined the ethnical and cultural mosaic that was found within the borders of the new state. The main concept of Ali Jinnah, the founder thereof, was to establish a state for Muslims rather than a Muslim state, although his views are interpreted in various ways and are referred to by extremely different groups that claim to continue his policy. Nonetheless, in fact Jinnah advocated modern Islam instead of fundamentalist Islam, and his goal was not to build a theocratic state in which the Sharia law is superior, but a state that is based on a secular law and guarantees equal rights to all religious minorities. Jinnah enunciated his views in the Objectives Resolution, which formed the basis for the first constitution of Pakistan. As quoted by Głogowski from Haani: "Actually, the trade-off resolution does not meet the expectations of either the Muslim fundamentalists (demanding that superiority of Islam over positive law and hence over other religions be adopted in Pakistan) or the members of religious minorities (who fear that Pakistan as a state for Muslims will head towards such a supremacy, in reality restricting their rights to be guided by their own moral rules).³⁷ Given the separatist trends in the northern provinces and secession of Bangladesh in 1971, as well as a number of internal conflicts, Islam did not turn out to be a sufficient factor to build an efficient state or civil identity.

The first concessions for the religious fundamentalists were made by Z.A. Bhutto by introducing the prohibition, which is still in force (the Muslims must not drink or buy alcohol), but first of all he did not recognise the Ahmadiyya movement members as Muslims, which has since had a great impact on that minority.

That movement was founded in Qadin in Punjab with its capital in Rabwah at the end of 19th century and has functioned very well among most Pakistani Sunnites and the traditional Cult of Saints in Islam. That decision has in fact had major political impact since numerous believers of that movement belonged to the middle class, which opposed the nationalisation of the economy under the policy of Muslim socialism. The top-down stigmatisation of that group resulted in its actual exclusion from social and political life, and it is currently a religious minority that is at the

36. *Ibidem*.

37. <http://dawn.com/2012/03/23/imran-bashes-zardari-sharif-over-family-politics/>.

38. Głogowski: 37.



highest risk of persecution in Pakistan. Its fate was decided by the Blasphemy law, pursuant to which defamation of the Prophet Muhammad or Koran may be punishable by capital punishment, which was introduced among Muslim legal reforms by general Zia ul-Haq, including traditional punishment for theft or adultery. When the Ahmadiyya movement was recognised as a non-Muslim sect, the demands intensified to recognise the Shias as such as well. The conflicts with the Shias resulted also from the introduction of obligatory taxes for religious purposes by general u-Haq (Shias were exempted from them in the end).

General Zia ul-Haq most likely was convinced that islamisation was legitimate as a factor for moral recovery of the population. His policy gained support of the Jamaat-e-Islami movement, but in fact he did not intend on sharing the power with the fundamentalists. On the other hand, the army treated and treats Islam as a tool for political combat and considers it a guarantee of a secular state at the same time. Nonetheless it can be said that concessions for the fundamental Islam of Z.A. Bhutto and ul-Haq have opened the Pandora's box since, on the one hand, they did not fulfil the demands of fundamentalists and, on the other hand, contributed to the emergence of new conflicts and divisions, including the very important one between the radical Sunnites and the Shia minority. The concessions aimed at a given time at gaining support quickly turn out to be a gate to new demands. The support provided to extremists in Kashmir turned out to have major consequences and ultimately resulted in partial loss of control over them (they joined the Pakistani Taleban).

The Blasphemy law allows for many types of abuse to be committed against religious minorities and directly discriminates the Ahmadiyya movement and other minorities. The recent attempts to abolish it by the Parliament cost the lives of two politicians, including the governor of Punjab, Slaman Tesser, and the Minister for Minorities Affairs, Bhatti. Currently, the politicians are afraid to discuss it in public.

Currently, the information coming from Pakistan results to a great extent in the perception of that state as a "hatchery of Muslim extremists", and essentially it forms a slightly distorted picture of the Pakistani society and the local Islam. By putting such notions as fundamentalism, extremism or tradition and conservatism in one pot, an image of Pakistan is created that might transform into a Muslim theocracy just like the Taleban Afghanistan, which, without understating the local extremist groups and their terrorist activity, is not possible first of all because the Pakistani society draws on numerous traditions of Islam. Those traditions are in a way a natural barrier that prevents extremism. "Most forms of Pakistani Islam for their part are traditional and conservative – far too conservative to support a revolution, and far too diverse to submit themselves to a monolithic version of Islam. This in turn derives in part from the fact that Pakistan remains in many ways a very rural society, where even the rapidly growing cities are still heavily rural in culture, owing to the constant flow of migrants from the countryside. Islamist radicalism, whether of old or new varieties, has always been a basically urban phenomenon, and derived from old and new patterns of urban society and culture. In Pakistan, the rural masses can occasionally be stirred up to furious panic by the cry of 'Islam in danger', as they were in 1947, but only two radical forces have established a long-running presence in parts of the countryside. The first are the Sunni sectarian extremists of the central and southern Punjab, who have succeeded in appealing to Sunni tenant farmers and the lower middle classes against the local Shia elites. Where, however, the landed elites are Sunni, they help prevent the spread of the Islamist parties through their control of the appointment of mullahs to local mosques, which they use to bar anyone with a hint of social radicalism."³⁹

39. Lieven: 125.

The activity of Ulama from fundamental schools of Islam is restricted by the traditional followers of Pir, descendants of Muslim Saints, who directly play an important role in the political life of Pakistan as politicians or as a source of connections in the patron/client set-up. The followers of Pir and tombs of the Saints are a point of reference for most Muslims. If the Koranic Islam preaches equality between humans and direct link to God, in reality, in South Asia, in particular in Pakistan, it is all about inequities and patronage.³⁹ At the same time, that traditional balance of powers represents an enormous barrier for the dissemination of the ideas that are preached by the puritan schools since, with sufficient support, it would be able to shake the social system. Another barrier is formed by the local religious teachers – mullahs – who are ill-disposed towards the missionary activities and will not consent to “a better version of Islam”.

The Ulamas are not able to stay completely outside the State and culture, so they cannot reach a level of independence that would make it possible for them to actually establish a sort of reasonably legitimate force in which it is their position would give them power rather than they themselves.⁴⁰ Obviously, the activity of Ulamas is limited directly by landowners, who, despite reluctance, accept missions, but do not let them teach in the main mosque and try to isolate them from the inhabitants of villages so that they do not anger the mullah or the inhabitants.

It should be explained here what it is that the members of various Muslim groups actually fight for. The overall goal is to introduce Sharia, yet according to the Pakistan's legal order, the civil law already has to comply with the rules of Sharia law and it is approved by a special Majelis-e-Shura council. Nonetheless, the Pakistani communities in fact are guided by a typical traditional local law. The most important factor for which the idea of introducing the Sharia law as an applicable law does not enjoy high popularity in traditional communities is the matter of inheritance for women, in particular as regards the land.

The traditional law based on patriarchy that is in force in Pakistan does not allow women to administer land, only the men from a clan take the decisions about transactions. The introduction of the Sharia law and implementation thereof in this respect would break the traditional structures. The Koranic law allows inheritance and independent administration of land in case of divorce or widowhood. It should be also pointed out that there is a very strict Pashtunwali honour code that is applicable within the Pashtun territories, and a similar one among the Baluchi, which regulates the conflicts between tribes, however, the position of women there is in practice non-existent. A woman is deprived of any options to determine her fate, and the introduction of the Sharia law within those territories would be revolutionary in comparison to the applicable traditional law. The problem is that the Taliban do not fight for the introduction of the Sharia law, but a mix of Pashtunwali with a strict version of the Wahhabi Sharia, an extremely different one from the modernist vision of Islam, which is advocated for instance by Jamaat-e-Islami.

Decrepit authorities, feudalism, corruption and economic stagnation cause that it is completely natural for young Muslims to refer to Islamic concepts of egalitarianism and social justice and to introduction of the Sharia law (in addition, civil courts in Pakistan are very inefficient in their activities and have a reputation of being corrupt) because they think that the teachings of the Prophet and the Koran give a potential to create an ideal Muslim state.

Sunni groups in Pakistan are linked to one of the two schools of Islam: either Deobandi or Ahl-E-Hadith (a branch of the Salafism school with strong impact of Wahhabism, also a political party). They are both fundamentalist, meaning that they preach the revival of the Koranic tradition and teachings of the Prophet. Ahl-e-Hadith is more puritan and is interested in social issues to a smaller degree, in particular it condemns the local traditions of Sufist Saints while the Deobandi

40. Lion: 234.

41. Ibidem.



accepts them, but it does not recognise the possibility of Saints' intercession and worship of sanctuaries. Ahl-e-Hadith is very puritan and denies women the right to participate in political life; for instance, it played an important role in the organisation of demonstrations against the last government of Benazir Bhutto.

The Deobandi movement has a religious teaching organisation – Tablighi Jamaat, which, at least officially, does not support extremism and terrorism. The main Pakistani parties: Jamaat Islami (JI) and Jamiat-e-Ulema-e-Islam (JUI) are connected with the Deobandi tradition. They share the willingness to introduce the Sharia law and ill-disposed attitude towards foreign traditions within Islam.

Jamaat-e-Islami was founded in 1941 in Lahore by Syed Abul A'la Maududi, its seat is in Mansoorah district in Lahore, it originates in the urban lower middle class, which ideologically refers to the principles of egalitarianism and socialist social justice while being ill-disposed towards feudalism and capitalism. They believe that the Koran and Sunnah provide relevant hints about political, economic and social problems, they accept the interpretations of Koran in accordance with the spirit of the times. They are against any fights with the Shias. They do not support the revolution, instead they advocate the "evolution", gaining power on a gradual basis. The student wing of Islami Jamiat Talaba frequently takes part in riots. Many members of Pakistani Taleban from Swat previously were active in Jamaat. Despite references to non-aggression, their opinion on many matters is ambivalent, first of all they never directly condemn the actions of military groups, e.g. they supported the protesters in Lal Masjid ("Red Mosque") in 2007, or they were against a military assault in Swat. It should be pointed out that most members of Pakistani Taleban do not have basic education, in the event when they were in fact capable of posing a threat to the state's stabilisation by gaining power, JI would become an elite that is perfectly prepared to take over the power.

Ji supports the armed wing of Hizbul Mujahideen, which is oriented to Kashmir and has connections with Hizb-e-Islami of Gulbuddin Hekmatyar. Additionally, JI provides assistance in training of volunteers and financing of groups by various domestic and foreign foundations. JI does not agree with the pursuit of Muslim goals by means of violence, and its members quickly absorb conspiracy theories rejecting the involvement of Muslims in terrorist attacks, calling them "foreign elements", in particular considering the USA, India and Israel the enemies that plan to destabilise Pakistan. [...] Both factions of JUI (Jamiat Ulema-e-Islam (Fazlur Rehman) - "JUI-F" and Jamiat Ulema-e-Islam (Sami ul Haq - JUI-S" support other India-oriented armed Deobandi groups, mainly Harkat-ul-Mujahideen and its faction, Jaish-e-Mohammad and recruit volunteers from the Madrassas maintained by them. JUI encourages sectarianism by combining Shias with anti-Islamic foreign forces in their propaganda.⁴²

However, most Sunnis from Pakistan belong to the Barlevich school (Ahl-e-Sunnat), which is a popular version of Islam that accepts local cults of places of repose of saints and recognises the possibility of saints' intercession. The Barlevi are not an organised movement, and they did not manage to establish a larger and more significant political party. It can be added that most Pakistanis, when asked about the school of Islam they belong to, will not be able to attribute themselves to any.

Islamic parties have never been able to attract a majority of the society because of the above-mentioned fact that their ideology is not popular and foreign in the rural culture; in particular their hostility towards cults of saints and their tombs is of importance, as well as the traditions of the follower of Pir, who enjoy high esteem and belong to the elites in the society (many follower of Pir belong to the PPP and PML-N members). Islamic parties do not have the support of

42. International Crisis Group, Islamic Parties in Pakistan, Asia Report no 216, 12.12.2011.

the urban middle class either, and they also do not have any strategy to solve social and economic problems of the State. Jaamat-e-Islami is in fact a challenge for the traditional configuration of influences, feudal relations and patronage, and it demands social justice whereas JUI has become a separate network of such a patronage and influences. In addition, some members of those parties have been taken over by the extremist movements, by the Taleban within the Pashtun territories, Jaish-e-Mohammed, Lashkar-e-Taiba, Sipah-e-Sahaba and other ones in Punjab.⁴³ Furthermore, some of the moderate and conformist Islamists were attracted by the military in the time of Zia ul-Haq, and some by PML-N, whose agenda includes the establishment of an Islamic State (the Sharif family is linked to the Deobandi and Ahl-e-Hadith schools). Jaamat-e-Islami can get more support in cities, it acts particularly actively among the students and in the media.

The reports point out that admittedly the Islamic parties have a relatively small constituency, but owing to links to the military they have political impact and sanction the power in a way irrespective of its origin. They are strong enough to mobilise the masses under the banner of "threat to Islam" and to exercise pressure on the Government; they also have impact on public institutions. As an example we can use the previously mentioned attempt to abolish the Blasphemy law by the PPP Parliament although the politician of that party began the work on the changes with the support of Zardari, yet they withdrew when JUI-F and Ahl-e-Hadith founded the Tahafuz-e-Namoos-e-Risalat movement (Protection of the Sanctity of the Prophet) by organising demonstrations and strikes, which ultimately determined the political assassination of the advocates of changes.

In 2002 radical Muslims obtained 11% in the local government in NWFP and formed local government in Baluchistan by forming the Majlis-e-Amal coalition (MMA). However, that success resulted from the prevailing sentiments arising from the alliance with the Americans and operations in Afghanistan and, according to ICI, from the forgery of votes by the military, which tried to oust PML-N and PPP from office. Soon, however, the alliance shattered due to discrepancies between Jamaat-e-Islami and Deobandi Jamiat-e-Ulema Islam (among other things, it was about the attitude towards the events in the Red Mosque). In 2008, without the support of the military, the elections were won by PPP, PML-N and ANP (Awami National Party – the national party of Pashtuns) (author's note: JI did not take part in the elections in 2008).⁴⁴ The strategy of Islamic parties consists in forming an alliance with the main parties and gradually gaining concessions for the participation in a coalition. Currently, JUI-F got close to PPP while there are constant connections between PML-N and Ahle-e-Hadith, a party that intends on introducing an Islamic theocracy.

The biggest challenges for the internal security of Pakistan are constituted by the sectarian conflict between the extremist Sunni groups and the Shias and the operations of Pakistani Taleban. Until the 1980s, the division between the Shias and Sunnis was not significant. It was not before the policy of general Zia ul-Haq, who introduced the elements of the Sunni law into the policy, that gave rise to the protests of Shias. They established the organisation Tehri-e-Nifaz-e-Fiah Jafferia which forced the government to take into account their religious identity (e.g. exemption from religious fees). That resulted in the foundation of Sipah-e-Sahaba Pakistan (SSP) in Jhang in 1985, a group that originated in Jamiat-e-Ulema-e-Islam (JUI). SSP commenced attacks on the local Shia targets and demanded that the Shias be recognised as non-Muslims and Pakistan be established as a Sunni state such as Saudi Arabia. The operations of SSP extended beyond Jhang and covered South Punjab where former Sunni-Shia tensions aggravated, including Quetta, Peshawar and Kurram Agency (FATA). As indicated by Lieven,

43. Lieven: 132.

44. International Crisis Group, Islamic Parties in Pakistan, Asia Report no 216, 12.12.2011.



at least from the time of Zia ul-Haq until now, there was no evidence that the Pakistani governments supported anti-Shia acts. PPP is a naturally extremely hostile towards them, for instance because the Bhuttos and the family of Zardari are Shias, just like (at least privately) many land-owners, the main supporters of PPP in Central and South Punjab. Despite clear sympathy of some activists of PML (N) to the anti-Shia militants in the time when Nawaz Sharif was the Prime Minister, in 1990s, his government ordered attacks against Sunni extremists, many of whom were killed. In response Lashkar-e-Jhangvi staged a coup d'état against Sharif. The Musharraf's administration continued the attacks against Sunni groups and dissolved SSP and LJ in January 2002.⁴⁵

Until the half of 2007, terrorist attacks were limited to the tribal territories of Pashtuns; a change took place when the military decided to assault the Red Mosque, which was fiercely criticised by the society and caused increased terrorism in Pakistan. A loose association, called Tehriq-e-Taleban Pakistan (TTP), was founded at that time, and it was aimed at combating the Alliance, the Pakistani government and military. Since 2009 the connections between the Sunni armed organisations and the Pakistani Taleban became apparent, which resulted in increased terrorism in Punjab and overall deterioration of the country's security. The attacks are carried out against state's administration targets, police stations, popular place of shrines of traditional Sunnis and directly against civil population.

The ranks of TTP are supplied by the pupils of Madrassas, mainly from South Punjab (however, many of them have no educational attainment, even in terms of religion). Because of the local poverty, the Madrassas in South Punjab are of much greater importance than in the North, where the education system is better (only 25% of people within rural areas are literate); it is those Madrassas that are the main area of recruitment for armed groups). In 1980s and 1990s they sent many militants to the Mujahideens in Afghanistan and subsequently for Jihad in Kashmir; therefore the groups such as Lashkar-e-Taiba and Jaish-e-Mohammed, formerly supported by the military, have strong ties to Punjab in the fights for Kashmir. [...] However, the main armed groups are not able to start a revolt against the Pakistani state first of all because the most important extremist forces in South Punjab are sectarian forces – as stated by Lieven.

To sum it up, there are five main types of groups in Pakistan that resort to terrorism:

- sectarian ones, such as Sunni Sipah-e-Sahaba and Lashkar-e-Jhangvi, as well as Shia Tehrik-e-Jafria,
 - anti-Indian ones – terrorist groups that receive the alleged support from the Pakistani military and ISI mainly in Kashmir, such as Lashkar-e-Taiba (LeT), Jaish-e-Muhammad (JeM) and Harakat ul-Mujahadeen (HuM),
 - Afghan Taleban – the main Taleban movement, notably with the guidance in Kandahar, concentrated around the mullah Mohammad Omar,
 - Al Qaeda and other related groups, including many international ones that act within FATA
- Pakistani Taleban – groups consisting of armed units, led by such persons as Hakimullah Mehsud from the Mehsud tribe in South Waziristan, Maulana Faqir Muhammad of Bajaur and Maulana Qazi Fazlullah from Tehrik-e-Nafaz-e-Shariat-e-Mohammadi (TNSM), also seated in FATA.

Besides, the Punjab Taleban are quoted as a loose association of the members of the outlawed groups with Punjab roots and connections to the sectarian activities or formerly concentrated in Kashmir, currently with contacts with the Pakistani Taleban, Afghan Taleban and other organisations from FATA. As well-trained groups (often previously by the military), they provide logistical support to other groups.⁴⁶

45. Lieven: 292-294.

46. Jayshree Bajoria, Pakistan's New Generation of Terrorists, <http://www.cfr.org/pakistan/pakistans-new-generation-terrorists/p15422>.

Therefore, if the Pakistani society is generally immune to extreme ideologies, why does the number of terrorist organisations increase and why can not the state apparatus handle them? From 2002 to 2005, the number of suicide attacks in Pakistan amounted to fifteen whereas in the next four years (i.e. in 2006-2009) it was over 200.⁴⁷

It should be pointed out here that the frequency of terrorist operations does not have to mean increased popular support in the society because there is no such support in general (with the exception of regions where a sectarian conflict has been rooted for years) as those operations are aimed mainly at the state apparatus (police and military), but first of all they target the civil population, only one suicide bomber is needed to blow up a group of one hundred people. The Pakistani commonly condemn terrorism in Islam and define extremist groups as "non-Muslims". Beyond doubt, however, a contribution to the dissemination of fundamentalist doctrines is made by Madrassas and charities operated by Islamic organisations, often financed by the funds from Arab countries, mainly Saudi Arabia.

85 percent of Madrassas are not controlled by fundamentalist organisations, most of them are involved in the religious education instead of military training. Some of them teach in general subjects, such as English, Urdu, history of Pakistan, exact sciences or even IT. The ones that are under control of fundamentalists and terrorist organisations represent approximately 20% of the total number, the agenda covers religious education and basics of military training with the assistance of former militants. However, they are not taught in such subjects as production of explosives, assembly of improvised explosive devices, aircraft hijackings, etc. Such training is provided in separate centres (for volunteers). About 80 percent of Madrassas are financed by Saudi Arabia and Kuwait. Control over Madrassas is difficult in so far as the organisations change their names and account numbers and continue their work. There is no sufficient control over the flow and utilisation of funds earmarked for charity from those countries.⁴⁸

I believe that what is of major importance here is also the ease of manipulation of uneducated Pakistani population, which does not receive any support from state institutions and for which Islam has been the main identification factor since the establishment of Pakistan. It is exemplified by the problem mentioned herein, that pertains to the Blasphemy Law and by the attempts to abolish it. After the assassination of Minister Bhatti, the comments in the media described ovation for the assassin, showering him with flowers, etc. It is sad and dangerous, but the population can be mostly manipulated and mobilised in an easy way, with the general religious phobia, e.g. by simplifying a problem and stating that in case of abolishing an act of law everyone will be able to get away with offending Muhammad the Prophet, and hence that "Islam is in danger". It seems that the ease of outraging a mob and thus the threat to one's own safety constitute the main reasons for which the politicians are currently afraid to publicly discuss the problem of the discriminating act of law. But it should be kept in mind that in the cases where conflicts and frustrations have been accumulating for years a small spark will suffice to give rise to a huge conflagration.

Nonetheless, the increasing terrorist campaign is connected mainly with the rebellion in Khyber Pakhtunkhwa and FATA; various organisations may have differing goals, among other things: combating a decrepit state apparatus, support to the Taleban in the war in Afghanistan, or they can be purely sectarian; the members of organisations that operated in Kashmir and were formerly trained by the military are also used here. The highest risk applies to the religious leaders who are a challenge for the extremism, the politicians who are linked to progressive political parties and innocent civilians; the attacks are often targeted at the police, which is

47. H. Abbas, *Reforming Pakistan's Police and Law Enforcement Infrastructure, Is it to flawed to fix?*, *United States Institute of Peace, Special Report 266, February 2011*.

48. B. Raman, *Pakistani Madrassas: Questions and Answers*, SAAG, 05. 08. 2005, <http://www.southasiaanalysis.org/%5Cpapers15%5Cpaper1487.html>.



a symbol of the state. The terrorists consider the military and police their most important enemies.⁴⁹ Furthermore, terrorist attacks (excluding the rebellion in Swat, which is a direct threat to the state's independence, and its suppression was within the military's scope of duties) are a threat to security, and it is the police that is responsible for counteracting them, and it is not properly equipped.

Changing the tactics and targets of various terrorist groups that operate in the country constitutes an enormous challenge for the police forces, which have limited funds, poor training and disproportionate equipment. The structure that deals with the enforcement of the civil law in Pakistan has not succeeded in developing any systematic and advanced strategy because there are not enough modern research tools, required skills and motivation. Due to the same reasons, it is no wonder that the number of committed crimes not related to terrorism has also increased in the recent years. The police abilities are critical for the tactical approach towards terrorism and control of the territories involved in the rebellion. The duties that arise from the maintained public order and protection of VIPs absorb a considerable proportion of police funds. The absence of legal support decreases to a greater degree the efficiency of police and ability to act. Corruption, nepotism and political manipulations are common, they destroy the integrity of police, its credibility and public image.⁵⁰

An inefficient judicial system is also a problem of Pakistan. In the history of Pakistan, the judiciary has never been independent and "has been used as per the wishes of the regime in power". Its poor efficiency applies to the cases related to the acts of terrorism. First of all, many suspects are acquitted. "In 2009 as many as 629 terrorism cases came before the Anti-terrorism Courts (ATCs) in Punjab. Suspects in as many as 471 cases were acquitted. [...] A major factor for the ATC failure is the lack of transparency and cooperation between various organisations in bringing the guilty to justice. Many security agencies are busy trying to apprehend terror suspects and solving the cases. The Police are normally helpless when it comes to filing cases against people accused of abetting terror attacks. The police are mainly used as 'pick-n-drop' service of terror suspects. Police usually arrest a terrorist on a tip-off from intelligence agencies. Once they have caught the accused, they are supposed to hand over the suspect to the intelligence agencies and there stops the police procedures. They are not able to compile and register a proper case in the court as the agencies do not share the required information with them. Since the accused is handed over to the intelligence agency even before a proper interrogation session, the police forces end up with little or no information which could lead to prosecution. [...] Primarily, the selective behavior behind the handling of terror suspects is because of the fact that most of the terrorist organizations are the products of the intelligence agencies and were at one time valuable assets for them. If proper information is provided to the police and the prosecution, there is a definite chance that evidence many lead them back to some important members of these agencies. Hence many a times, the agencies or the Army take control of the overall case and set up their own investigative team."⁵¹

"There have been several instances when judges or lawyers concerned are intimidated by terrorist groups. Flaws in the trial process and the role of the prosecution are reasons behind the high rate of acquittals. The prosecutorial services in Punjab were introduced through the Punjab Criminal Prosecution Service Act 2006. This Act basically handed an immense amount of power to the prosecutor. Once the prosecutor receives a case file from the police, which the police have already decided to pursue, the prosecutor reviews it and has the option to continue with the prosecution, take no further action or divert it away from the criminal proceedings.

49. *Ibidem*.

50. *ibidem*.

51. Pakistan and its flawed anti-terrorism laws, http://policyresearchgroup.com/regional_weekly/hot_topics/835.html?print.

In Pakistan, there is no such body which regulates the power of the prosecutor. This has led to the withdrawal of many terror cases. The primary reason for such withdrawals is threats issued to the prosecutor and his family.”⁵²

I will quote here Lieven’s statement, which very evocatively describes the above-mentioned problems by a police officer in the Jhang District (admittedly, it is an utterance from 2002, but I think it is still topical):

”There are hundreds of thousands of SSP and Lashkar-e-Jhangvi sympathizers in this region and we aren’t America – we can’t arrest them all and send them to Cuba. We have to stay more or less within the law. It’s different for the hard-core terrorists who we know have killed people – them, we can sometimes just kill. But there are so many more people who may have given them shelter, or who may be going to become terrorists, but who haven’t actually done anything yet. Under the anti-terrorism laws, we can hold people for three months, but after that we have to go to the High Court, and the court will demand evidence that we usually don’t have, because witnesses just will not come forward – you can understand why. Only very rarely do the courts allow us to hold people permanently in preventive detention. And of course the judges are also frightened. That is why they let out Azam Tariq, though everyone knows he has ordered God knows how many murders ...”

”Everyone says that it is because the police sympathize with the militants, but I can tell you that is definitely not true at the senior level – junior policemen, yes, in some cases. [...] twenty-two policemen have been killed [...] in Jhang alone in the past ten years. The superintendent of a jail where SSP prisoners were being held was even kidnapped in front of his own jail and killed. That kind of thing scared the police, and for a time we became quite inactive in this part of Punjab. That was especially true in the early ’90s, but in recent years we have become much tougher.”⁵³

52. Ibidem.

53. Lieven: 295.





6. RELATIONSHIPS BETWEEN THE EXECUTIVE, LEGISLATIVE AND JUDICIARY

The current Constitution of Pakistan was drafted in 1973 and amended in 1985. It has been based upon the British model. The President holds at present the representative function, and the Prime Minister is the chief executive. The latter is a member to the National Assembly and the leader of the most powerful party thereof. The Parliament (*Majilis-i-Shoora*) is a bicameral body with the upper house, or the Senate with the same representation of all provinces and the lower house, the National Assembly, where the number of seats depends on demographic records from the last census (at present, a new census is in progress, which will replace the last one of 1998). The Constitution introduced a federation system and each of the four provinces holds regional power in the form of a Chief Minister and the Provincial Assembly.

The Parliament. Members to the National Assembly are elected in direct elections every five years. Members to the Senate are elected by Provincial Assemblies with identical number of seats to each province, and from Khyber Pakhtunkhwa and the Capital District of Islamabad. Both the National Assembly and the Senate may draft legislation, but only the former approves budget. The real political impact of the National Assembly is currently believed to be limited. In the Parliament 5% of seats are reserved for religious minorities, Christians, Hindus and Sikhs included. Minority elections are held as combined elections.

The Senate is a legislative body with identical number of seats for each province, elected from among the Provincial Assemblies. Among the members of the Senate are also representatives of the capital city of Islamabad and Khyber Pakhtunkhwa. The Chairman of the Senate is Acting President as long as new President is not elected.

Each Province is headed by the Chief Minister (governor), appointed by the President, and the Minister's cabinet. A certain number of seats in Provincial Assemblies is reserved for religious minorities and women. The majority of competences of federal and provincial authorities are defined, but in some cases both authorities may draft laws and establish departments for their implementation.

Similarly, federally administered districts have their bodies with more limited powers. Western Provinces have their own traditional judiciary system, independent of the federal government. The federal government has the right to dismiss provincial representatives, but in fact, the provincial politics depend on the central government.

The judiciary in Pakistan is civil and religious. The first comprises of the Supreme Court, composed of the Chief Justice and 16 judges appointed by the President, following a recommendation from the Chief Justice. The lower bodies of the judiciary are provincial and district courts. The Federal Shariat Court of Pakistan scrutinises civil laws' compliance with the provisions of the religious Sharia law and hears criminal cases (murder, theft, fornication). The Federal Shariat Court consist of eight Muslim judges, including the Chief Justice appointed by the President. Three of the judges are *ulema* – Muslim lawyers. According to the Constitution, the Parliament cannot tackle issues within the jurisdiction of the Supreme Court or Higher Provincial Courts, and courts do not have jurisdiction over Parliamentary issues. Theoretically speaking, Pakistan has an independent judiciary, however, the history of the country has been marked with attempts at influencing courts by political or military authorities, mostly by appointing partial judges. In the last few years, starting from the Long March of Lawyers



in 2007-2008, the Supreme Court has been fighting for independence and respect for the Constitutional principles by the Parliament, which has become a conflict at present (more details in the next chapter), as court proceedings are pending for both the Prime Minister and the President. However, civil courts in Pakistan are, in the general opinion, corrupted and court proceedings last for years.

Furthermore, in Pakistan an office of Wafaqi Mohtasib (Civil Rights Ombudsman) is held, with the tenure of 4 years. Its rationale is to exercise control over transparency and effectiveness of central and provincial administration, and receiving complaints from citizens concerning its proceedings. However, matters concerning civil officials, international affairs, defence and army are excluded from its jurisdiction.

6.1. THE ROLE OF THE PARLIAMENT

The National Assembly is composed of 342 seats, including seats reserved for women and religious minorities (10). The number of seats is determined according to the statistical data on the population from the last published census. At least 10% Representatives to the Assembly should be present at voting on an act of law.

Province	Seats	Women	In total
Balochistan	14	3	17
Khyber Pakhtunkhwa	35	8	43
Punjab	148	35	183
Sindh	61	14	75
FATA	12	-	12
The capital district of Islamabad	2	-	2
Total	272	60	332

The Senate consists of 104 representatives (14 from each province, 8 from Khyber Pakhtunkhwa, 4 (including 1 woman and 1 clergyman) from Islamabad, 4 women from each province, 4 technocrats, including 2 *ulema* from each province, and 4 non-Muslims from each province).⁵⁴

6.2. POWERS OF THE PRESIDENT

The President is Head of State and represents its unity. Only a Muslim less than 45 years old can become the President of Pakistan. The President is elected for five years and cannot hold the office for longer than 2 terms. The President is elected by the body composed of members of both houses of Parliament. A President may be impeached due to intellectual incapacity or a serious misconduct, which has to be determined by 2/3 of the Parliament. The President elects the Prime Minister and takes actions compliant with his/her suggestions, including the establishment of the cabinet of ministers.

In April 2010, when the 18th amendment to the Constitution was introduced, many amendments that had been introduced to the Constitution by the General Zia ul Haq were repealed, including the 8th Amendment to the Constitution (Article 58(2)(b)) which vested the President with the power to dissolve the Parliament. "the President may also dissolve the National Assembly in his discretion where, in his opinion a situation has arisen in which the Government of

54. <http://www.pakistani.org/pakistan/constitution/part3.ch2.html>.

the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary (to hold new elections).” The authority was supported by the army and enabled the dissolution of the government, usually under the pretext of corruption of the Prime Minister or the MPs.

Earlier Prime Minister Nawaz Sharif attempted to repeal the Article 58(2)(b) of the Constitution, in coalition with Benazir Bhutto in 1997, but it was reintroduced by General Musharraf. Amendments currently in force restrict the role of the President to a representative function, and vest the Prime Minister with the executive power. At the same time, the Prime Minister can hold the power for more than 2 terms. Moreover, pursuant to the amendment, the courts shall no longer have the power to sanction suspending of the Constitution, and the President shall not be authorised to appoint the chief of the Election Commission or proclaim unilaterally the State of Emergency in any province.⁵⁵

6.3. CONFLICT WITH THE JUDICIARY

Each of the military coups in Pakistan required sanctioning by the Supreme Court, as a step caused by a “higher necessity” of a Raison d’Etat, which resulted in the infringement upon the judicial independence. It might be said that historically speaking, the authority in Pakistan was subjected to the army. The events of the recent years and struggling of the judiciary for its place in the system and for the independence have been enthusiastically supported by the citizens. The judiciary in Pakistan is active at two fronts, i.e. becoming independent of the army and introduction of the rule of law in Pakistan by forcing the President and the government to act in accordance with the Constitution. Some commentators think that pressure on the government is a result of an army strategy to remove President Zardari from power, which is a risk for the democracy, however, the majority of opinions are positive, namely they interpret the pressure as an attempt to regain the right role in the system and redefine the institution.

At times of army rule, judges did not swear allegiance to the Constitution, but loyalty to the authorities, and those who refused were removed from the office. The coup of General Musharraf of 1999 was sanctioned by the Supreme Court. The first conflict of Musharraf with the judiciary occurred when he wanted to privatise a big State-owned company, the *Pakistan Steel Mill Corporation*. Judges deemed the project unconstitutional. An open conflict of the authorities with the judiciary occurred in 2007, when General Pervez Musharraf initiated transformation of the political system and started negotiations with political parties, including the leaders of the PPP, as he intended to keep his position of the Head of State. To succeed, Musharraf announced the so-called “National Reconciliation Ordinance”, which granted amnesty to Benazir Bhutto and her husband Asif Zardari, along with the 800,000 officials accused of corruption.

Due to the judgment of the Supreme Court, which stated that the President cannot jointly perform the functions of Head of State and the High Command of the Armed Forces, Musharraf dismissed the Chief Justice Mohammad Iftikhar Choudry. Musharraf’s actions were pronounced unconstitutional by the judges, though, and Choudry returned to the office. However, in November 2007, after a failed attack on Benazir Bhutto, Musharraf proclaimed the State of Emergency, suspended the Constitution and adopted the Provisional Constitutional Order (PCO), and removed M.F. Choudry from the office yet again. Judges were to be sworn for PCO, however, the majority refused, in particular in the province of Punjab (60 judges), which resulted in their dismissal. Choudry and the dismissed judges returned to their offices in March 2009, as a result of the so-called Long March of Lawyers, a series of protests by representatives of the judiciary,

55. <http://pkpolitics.com/2010/04/03/summary-of-18th-amendment/>.



opposition, students and enthusiastically supported by the society as a whole. Only the pressure did force Zardari to reinstate Choudry. Rehabilitation of judges and the events of 2009 were considered a very important step toward the independence of the judiciary.

Choudry soon started active campaign for holding President Asif Zardari and his high officials, accused of corruption, responsible for their actions and questions the constitutionality of the National Reconciliation Ordinance. He ordered Prime Minister Yousuf Raza Giliani to resume investigation on corruption of President Asif Ali Zardari, which the latter refused believing the President to be protected by immunity. At present, Choudry intends to hold Prime Minister responsible for failing to execute the court order, which is punishable with 6-month imprisonment.

The second element of the present conflict of the judiciary and the government is the scandal known as the *memogate*. Former Ambassador of Pakistan accredited in the United States, Hussain Haqqani addressed, through the intermediation of a known businessmen, the US authorities with a request for intervention in the event of an army coup, in exchange for aligning the State's policy with the US guidelines. This confidential request was to result from fear of a military coup after the death of Osama Bin Laden, due to the arbitrary action of the US on the territory of Pakistan. The army requested the judiciary to investigate this issue. Currently, the preliminary investigation is held in the Judiciary Committee, as such an action was deemed a violation of the State's sovereignty, and breaking of laws transpiring from Articles 9, 14 and 19 of the Constitution of Pakistan, which guarantee citizens' rights to safety, dignity and access to information of public significance. The *memogate* scandal resulted in tensions among politicians and fear of yet another attempt of a military coup. However, nothing of that sort happened. According to my interlocutor, an officer to the Pakistan's army, the army is not willing to seize power at present, due to its involvement in safety matters at the border and within the country's territory. Moreover, a threat to the weak democracy in Pakistan would undoubtedly result in serious economic consequences in the form of the key support from the US. However, contacting the Supreme Court by the army directly, without the intermediary of the government, infuriated Prime Minister Giliani, who publicly criticised the army and the intelligence as a "State within a State" and their actions, as directly challenging the government. Giliani also attacked the main strategies of the army, namely, the "strategic depth in Afghanistan" and treating India as the main enemy. Giliani himself opts for a truce with India and a dialogue over the issue of Kashmir. His policy contradicts, therefore, the very foundation of the existence of a strong army – the conflict with India. The army did not remain passive with regard to the accusations and threatened the Prime Minister with "serious consequences".

Both issues underlie the political crisis in Pakistan and the way they are solved will determine the country's nearest future. Since April 2012 Prime Minister Giliani found himself much criticised. Due to the court proceedings regarding accusations of corruption against President Zardari, the Supreme Court ordered the President to issue a letter to the authorities of Switzerland⁵⁶ concerning an investigation in that matter (accepting bribe from a Swiss company). Giliani refused, arguing the presidential immunity is valid both home and abroad. The Supreme Court sentenced him to a symbolic 30-minute imprisonment for failing to abide by the court's orders (which is subject to the punishment of up to 6 months imprisonment). In response, the PML-N and TPI opposition launched protests, requesting Prime Minister's resigning from office and the new elections. In Islamabad protests were also organised due to the court's verdict. Imran Khan considered protests to be organised by the PPP politicians under pressure to retain the PPP's status and protect their corruptive practices. Giliani did not appeal from the verdict, but the Parliament considered his position correct. Both PML-N and PTI appealed

56. <http://dawn.com/2012/04/27/nawaz-imran-ask-giliani-to-step-down/>.

against the Parliament's decision to the Supreme Court, requesting Prime Minister's resignation. The PRI also demands the resignation of the Marshall of the National Assembly.⁵⁷ Due to parliamentary consultations, a new Prime Minister was elected for the office - Makhdoom Shahabuddin, a member of an influential family from South Punjab, which is the stronghold of the PPP. Until now, he occupied several positions, including the position of Deputy Minister for Finance, in the early 1990's. He is regarded as a close supporter of Prime Minister Benazir Bhutto.⁵⁸

The opposition (PML and PTI) lobbies for new elections, at the same time, preventing another military coup. As of now, it is hard to predict whether the present government will be the first one to have served the whole 5-year term in the office, as many had hoped for.

Opinions on the actions of the Supreme Court are diverse, generally positive, but its opponents believe the Court acts beyond its competence and fear its becoming too politicised.

It should also be pointed out, that despite the media active coverage of the recent scandals, generally negative perception of the President and Prime Minister and a difficult economic situation of the country, PPP noted a huge victory in the 2012 elections to the Senate, winning 32 out of 49 seats. The results of the elections confirm that despite slow changes taking place in Pakistan, direct factors responsible for voters' decisions are other than the assessment of the ability to rule, programmes and reforms. They result from specific allegiances of voters.

7. THE ROLE OF ARMY IN THE CONTEMPORARY PAKISTAN

After Pakistan gained independence in 1947, the army trained by the British was the only coherent institution beyond ethnic and religious divisions. As stated by A. Głogowski on the issue of taking over of power by General Ayub Khan: "Both active, and retired officers were natural allies for the supporters of the modern religiously moderate country. Awareness of affiliation to intellectual and civilisation elite and, therefore - sense of superiority, made some of the officers interested in active participation in political life. The civil politicians forced such politicisation of army, using armed forces to bring order in provinces consumed by riots. The society was convinced that where civil authorities cannot handle matters (which happened more and more often), the army moves in bringing safety and peace. So far, efforts were taken to maintain the Anglo-Saxon model of civil control over the armed forces."⁵⁹

This conviction is still present, and the Pakistani Army remains the most professional and efficient institution in the country. Subsequent democratic governments were not able to restore control over the armed forces, and any attempts, such as the last one made by Nawaz Sharif to introduce changes in headquarters in 1999 met with immediate reaction and taking over of power. All military revolts in Pakistan were conducted without resistance of the society and without shedding blood. Even politicians of the opposition parties asked the army for help in removing their political opponents left in power.

According to Lieven, taking over of power by the army welcomed with relief or even enthusiasm changes after some time of direct governance [...] when the army has to take the responsibility for corruption and incompetence of the system as a whole. However, respect for the army always comes back since its effectiveness in its own field of operations is in sharp contrast to failures of the civil politicians. This happened, for example, during the flood of 2010 – only two years after the army stopped ruling – when military aid and rescuing efforts were compared with incompetence, corruption and, first of all, indifference of the central and provincial

57. <http://www.geo.tv/GeoDetail.aspx?ID=51415>.

58. <http://www.nytimes.com/2012/06/21/world/asia/pakistan-president-nominates-new-prime-minister.html>.

59. A. Głogowski, *Pakistan, Historia i współczesność*, Księgarnia Akademicka, Kraków 2011.



governments, as well as civil bureaucracy. Such comparable military efficiency is possible only because the army has considerably more resources than civil institutions.⁶⁰

The unity of the army can be explained with relatively low level of internal corruption, and the fact that it efficiently shared benefits from the defence budget in line with the military hierarchy. Joining the Pakistani army carries a number of privileges and access to services, unusual for any other sector, from high level medical care for whole families of the soldiers, including their parents, access to schools and scholarships for their children to the guarantee of employment for retired soldiers in central administration or in state-owned corporations, military institutions, as well as the possibility for officers to buy land through the Defence Housing Association. Moreover, the army has its own business network. The largest association of enterprises in various industries and charity organisations is *Fauji Trust* assigning 80% of its benefit to health care, education and vocational training for the soldiers' families. Although the Foundation pays tax on its business activity, it is exempt from taxation on charity activity. *Army Welfare Trust operates in the same way.* (It has to be stated that business in Pakistan rarely pays taxes at all).

The Pakistani Army significantly contributes to the development of the state infrastructure with e.g. the National Logistics Cell responsible for transport of dry and liquid substances. It performs works in ports, at construction sites and under other state projects. The Frontier Work Organisation is in charge of construction of infrastructure at hard-to-reach areas, including road communication. It, for instance, constructed the famous Kora Krum motorway. The Special Communication Organization provides communication possibilities (phone and telegraph lines) at hard-to-reach areas along the northern borders and in Azad Kashmir. From its own funds the army constructed roads in NWFP and Azad Kashmir of high transport significance at these areas. It also maintains medical centres and schools for the local population. Similar activities are conducted in FATA. It also takes actions aimed at providing water supplies in Balochistan, the Thar Desert and Cholistan Desert (Western Punjab).⁶¹ Furthermore, the army has its own structure for actions in the case of natural disasters, including the Army Flood Relief Center. The Pakistani Army, apart from its defensive function and maintaining sovereignty and unity of the country (separatist tendencies have been observed in border regions since the establishment of the country) is an important institution complementing the activity of the civil government in the field of national development, especially in terms of construction of infrastructure and development of industry, it has its own education centres, including universities, it participates in actions taken in the case of natural disasters, it often intervenes in the case of internal conflicts and security threats, such as sectarian violence, terrorist attacks and others. Besides, in contrary to the Pakistani police, it is highly disciplined.

As stated by the analysts, Pakistan's accession to the alliance with USA in 2001, and participation in the war in Afghanistan could have changed the society's opinion on the army, as well as caused divisions in the army. The US policy on Israel and the Iraq War shaped the negative attitude towards USA as a country fighting with the Muslim world. Therefore, the alliance with USA and participation in the conflict receive a very negative response. The image of efficient army was seriously undermined due to the self-willed action of the USA conducted in the territory of Pakistan in order to kill Osama bin Laden.

Until now, India was the main and natural adversary of Pakistan, and the army was trained for fighting with India. One may say that antipathy towards India and perceiving the country as the major enemy is one of the main national phobias in Pakistan. Sending the army to fight with the Muslims in Afghanistan was the reason for intense internal opposition. It is particularly

60. Lieven: 164.

61. See more: <http://www.pakistanarmy.gov.pk/>.

difficult for the soldiers coming from Khyber Pakhtunkhwa. This attitude could slightly influence the activity of the Pakistani Taliban in 2009 and their attacks both on the army and the civil population in various parts of the country, as well as rebellion in the Swat valley. So far, the Taliban activity was limited to the border areas.

The army reluctantly observes the current attempts made by the government in order to improve relations with India. In April this year, President Zardari met the Prime Minister of India. As a result of their talks, economic relations between the two countries are to be improved. The fact that the Kabul government strengthens ties with India, as well as their political and economic involvement (the number of infrastructural projects implemented by Indian enterprises) is disturbing for Pakistan. As part of its foreign policy, Pakistan implemented the "strategic depth" project concerning Afghanistan: "In their one-sided confrontation with India's overwhelming military power, Pakistan's political leaders and generals have long prized Afghan territory as an area where Pakistani forces can retreat and regroup if India invades from the east. This idea has long been ridiculed by Western strategists, but it is a central tenet of Pakistan's strategic doctrine. And now, in less than a decade, this area of limitless strategic depth has been transformed into a second military frontier with India, one that puts Pakistan in a strategic vice with Indian forces on each side. The seriousness with which Islamabad views this issue is seen in the fact that, per the media, up to 30 percent of Pakistan's ground forces are now stationed on the country's western border. This redeployment degrades the country's strength on its border with India and has been made to fight what Islamabad believes are rebellious, India-supported militants in its tribal agencies and Balochistan Province. Pakistan's military considers India's embassy and consulates as intelligence centres that are running covert operations into Pakistan's Pashtun agencies and—with the help of Indian army engineers and border police—are training, arming, funding and picking targets for Balochistan's tribal insurgents in their low-level war against Islamabad."⁶²

Many analysts believe that such turbulences indicate the actual antipathy of Pakistan to the Kabul government, and the resulting lack of authentic involvement in war, as well as unofficial support for the Taliban. ISI (Inter Service Intelligence) is particularly accused of supporting the Taliban that is suspected of maintaining relations with organisations considered as terrorist. It has to be stated that in 1980's Mujahideens received American support through ISI that also trained militants. Moreover, Pakistan – as one of the three countries (the other two are Saudi Arabia and the United Arab Emirates) maintained diplomatic relations with the Taliban government. Relations with Taliban organisations result from former business connections and from the past - since many officers are Pashtuns coming from border areas. No matter how the Pakistani Army is involved in the War on Terror, it may have a strategic margin in case the Kabul government did not survive after withdrawing the allied army which is considered as very likely.

In Pakistan ISI is often defined as "a state within a state" – a unit with its own policy. "Constitutionally, the agency is accountable to the prime minister [...]. But most officers in the ISI are from the army, so that is where their loyalties and interests lie. Experts say until the end of 2007, as army chief and president, Musharraf exercised firm control over the intelligence agency. It is not clear how much control Pakistan's civilian government, President Asif Ali Zardari, has over the agency. In July 2008, the Pakistani government announced the ISI will be brought under the control of the interior ministry, but revoked its decision within hours [...] the civilian leadership has "virtually no control" over the army and the ISI.

In September 2008, army chief Ashfaq Parvez Kiyani replaced the ISI chief picked by former president Musharraf with Lt. Gen. Ahmed Shuja Pasha. Until then, Pasha headed military operations

62. Michael Scheuer, Pakistan-India: Coming Nuclear Flashpoint, *The Diplomat* 2010-09-12. http://www.stosunkimiedzynarodowe.info/arttykul,787,Pakistan-Indie_zblizajacy_sie_nukleamy_punkt_zapalny.



against militants in the tribal areas. Some experts said the move signalled that Kiyani was consolidating his control over the intelligence agency by appointing his man at the top. In November 2008, the government disbanded ISI's political wing, which politicians say was responsible for interfering in domestic politics. Some experts saw it as a move by the army, which faced much criticism when Musharraf was at the helm, to distance itself from politics."⁶³

Army can manipulate politics to some extent through the Inter Service Intelligence (ISI), e.g. having impact on elections in some constituencies but not in the entire country and not in the case of large political groupings. However, manipulating politics is also characteristic of the civil government manipulating politics through secret services (Intelligence Bureau - IB). According to Lieven, "one important group whom the ISI can influence very heavily, however, is the senior bureaucracy, because a negative security report from the ISI will blast their careers. This means that while, ever since Z. A. Bhutto's time, civil servants have been subjugated by the politicians, there is no possibility of a serious movement to resist military influence or a military takeover emerging in the bureaucracy."⁶⁴

Some opinions are much more radical – no one in Pakistan would dare to rule without the support of the army, and no government would last without it.

It can be observed that the army, unable to resist the pressure of the opposition, tries to participate in the political life by establishing a party, e.g. the Muslim League established by General Ayub Khan in 1962, its rebirth in 1980's by General Zia ul Haq and the Sharif family as a party able to win with PPP in the elections, as well as establishment of PML Qaid-e-Azam by Musharraf in order to support him in the 2002 elections.

In Pakistan the army has power due to its historical significance for Pakistan. Weakness and corruption of the civil government strengthens its position as the only efficient institution able to maintain order in the country. Its participation in the political life is inevitable, at least due to the fact that as a developed institution it has to have the right budget. This year it amounted to 18% (cf. education slightly above 2%). Furthermore, according to the army, taking over of power by the civil government would have disastrous impact on its integrity which in the situation of Pakistan would have serious and dangerous consequences for the whole country.

In February this year, due to the "memogate" *controversy* (see Chapter 6.3 Conflict with the judiciary) many analysts expected next revolution after Prime Minister Giliani declared direct war on the army by dismissing the Secretary of Defence, and publically accusing the army of unconstitutional actions; the case was solved by a direct request to the Supreme Court for explanation of the "memogate" controversy. As I was assured by my interviewee, the officer of the Pakistani Army, it is currently not interested in taking power due to its involvement in maintaining security in the country, and actions conducted in Afghanistan. Moreover, another revolt at the moment could have negative impact on obtaining necessary economic assistance for the country from the United States and international institutions.

The US aid will be probably limited as a result of the last conflict concerning doctor Shakeel Afridi who contributed to determining the location of Osama bin Laden, organising compulsory preventive vaccination for children in the region of residence of bin Laden, and collecting DNA samples from his children in order to confirm their identities. Pakistan sentenced Afridi for 33 years in prison on account of high treason, and Americans reacted rapidly demanding his release and threatening to limit aid for Pakistan to 1 trillion – 58% of the previously set amount. Pakistan also demanded an apology for the attacks conducted in border areas, as well as discontinuation of unmanned aerial vehicles' attacks.⁶⁵

63. Jayshree Bajoria, Eben Kaplan, The ISI and Terrorism: Behind the Accusations, <http://www.cfr.org/pakistan/isi-terrorism-behind-accusations/p11644>.

64. *Ibidem*: 211.

65. Pakistan Rejects US Criticism of Jailed Doctor Who Assisted in Bin Laden Hunt <http://www.voanews.com/content/pakistan-rejects-us-criticism-of-jailed-doctor-who-assisted-in-bin-laden-hunt/120524.html>, 24.05.2012, //

52 www.globalsecurity.org/security/library/news/2012/05/sec-120524-voa01.htm
_m=34002a513c0a004qg.grs.

8. CORRUPTION OF THE ELITES AND AUTHORITIES

Omnipresent corruption is a serious problem in Pakistan. It is not of western nature, and it is connected to the local social system and attitudes resulting from it. Interest of a given clan or other group is often contradictory to the role of a person, e.g. a politician, in the country. Corruption is a part of the system, a natural consequence of patronage and, therefore, it is difficult, if at all possible, to eradicate. In the last Transparency International report (*Corruption Perception Index 2011*) Pakistan was ranked at 134th place in the list of 180 countries classified in terms of corruption.⁶⁶

Among the typical examples of corruption in Pakistan, Khalid Hassmani enumerates receiving money by government officials in exchange for awarding a contract, job, promotion, policemen receiving money to drop charges against someone or to arrest another person, officials conspiring to sell land at much lower price, medical doctors using supplies received for use in a public hospital in their private practice, teachers who rarely go to school to teach, but collect their salary regularly, village leaders illegally occupying schools and using them as guest houses, storages, etc., entrepreneurs conspiring to keep prices high, and many others.⁶⁷ The most corrupted institutions in Pakistan are: police, energy sector, judiciary, various tax departments (customs office, tax offices), and irrigation departments. Courts in Pakistan are not considered as independent of the government, but as a part of it. In 2006, the average period of waiting for a judgement amounted to 880 days.

In 1996 the Ministry of Education in Sindh determined that 2,932 rural schools existed only on paper. Many school buildings were adapted to be shelters, stables or storages. The situation was similar in Punjab – 1,600 schools have not been functioning for years, but teachers were still collecting their salaries.⁶⁸

According to Hassmani, the main reasons for such situation are “culture that encourages display of affluence without any regard how the wealth was obtained, lack of accountability, low salaries, unrestrictive discretionary powers given to officials”.

“The National Accountability Bureau (NAB) is supposed to ensure accountability of high officials and political leaders. According to governance experts, the NAB is influenced by the military and largely ignores corruption by military. Its real function appears to be a tool for those in power to target political opponents and junior government officials. They rarely investigate cases against judges, military, and political allies of the group that is in power. Moreover, NAB suffers from structural limitations and its authority is widely contested”.⁶⁹

The chapter on the social system describes *kyadiyat* institutions established by General Musharraf that were supposed to deal with corruption at the local level.⁷⁰ They were not effective, however, since they were formed by local dignitaries protecting their own interests.

66. <http://www.guardian.co.uk/news/datablog/2011/dec/01/corruption-index-2011-transparency-international>.

67. Khalid Hassmani, Corruption in Pakistan hurts common People and Breeds Extremism, <http://iaoj.wordpress.com/2010/01/23/corruption-in-pakistan-hurts-common-people-and-breeds-extremism/>

68. <http://www.oecd.org/dataoecd/63/31/36494011.pdf>.

69. www.freedomhouse.org/template.cfm?page=140&edition=7&ccrcountry=138&ion=73&ccrp%20age=31.

70. See p. 15.



8.1 CORRUPTION IN POLICE

Police is considered as the most corrupted institution in Pakistan. Police officials explain such situation with both poor remuneration, and equipment inadequate to their functions, partiality of courts, and inapplicable legislation (especially regarding Anti-Terrorist Law). Besides, police, contrary to the army, is not a unified disciplined institution and does not have its own business base.

Many difficulties come from the social system and culture regarding clan or family welfare as the most important issue. The police officer in Central Punjab graphically describes problems the police is struggling with: "Families and clans here stick together, so if you really want to arrest one person here and prosecute him successfully, you may need to arrest ten, or threaten to arrest them – the original suspect plus three for perjury, three for bribing the police and judges, and three for intimidating witnesses. And if the family has any influence, the only result will be to get yourself transferred to another district. So I'm afraid that it is often much easier just not to arrest anyone.

Take the FIR (First Information Report) system. If two individuals or families clash, and someone is killed, the dead man's family will lodge a FIR with one police station saying that he was wantonly murdered, and the other family will lodge a FIR with another police station saying that they were attacked and acted in self-defence – and they may be telling the truth. The police and the courts have to judge between them on the basis of evidence, every bit of which is probably false in one direction or another. So either the case goes on forever, or it is resolved in favour of which side has more power and influence.

If it is an especially bad case and you are sure of what happened, you may be able to bargain with the family or with local politicians to give you the man you want. But then of course you will have to give them something in return, or let one of their members off in some other case. This is typical give and take – what we call here *lena dena*."⁷¹

Nevertheless, according to citizens of Pakistan, policemen do not earn that little in comparison with other professions but each service provided by them often has to be paid extra.

"The police in Pakistan have traditionally been used by the state to suppress dissent and tame opposition. Many senior police officers became politicized in recent decades in an attempt to be in the good books of one political party or the other, and prized field appointments are often made based on political connections. Ironically, the Police Act of 1861 (along with the Police Rules of 1934), a colonial legacy that was meant to control people rather than serve them, remained applicable in Pakistan as a central law (with very minor modifications) until 2002, when a reform-oriented Police Order replaced it. The autocratic and oppressive nature of the old law negatively affected police culture and the professionalism of the force. Improvements to correct years of oversight of the police were attempted during the Musharraf era. [...] In rural areas (almost 60 percent of the country), local police officers can influence the fate of politicians in elections by allowing or curbing rigging. Moreover, feudal and tribal elements in remote areas often use police for torturing or "teaching a lesson" to their opponents, who are mostly peasants. Hence, they need influence with the police. Therefore, while Musharraf's new law was very good on the books, few of the changes were ever implemented, and various amendments inspired by political expediencies were incorporated into the law in 2004, thus nullifying the intent and purpose of the original 2002 act. This is a clear indication of the level of politicization in decision making pertaining to the police force; even well-thought-out plans are virtually impossible to implement without strong political will."⁷²

71. Lieven:102-03.

72. H. Abbas, Reforming Pakistan's Police and Law Enforcement Infrastructure, Is it to flawed to fix?, *United States Institute of Peace, Special Report 266, February 2011, p. 9.*

According to H. Abbas the capacity of the police to deliver its services is severely diminished by: “political manipulation, the lack of forensic services (e.g. forensic medicine), inadequate training and equipment, corruption, and weaknesses in the judicial sphere. Disconnect and lack of coordination between numerous kinds of policing and intelligence organizations are major hurdles on the path leading to collective strategizing.”⁷⁰ Abbas indicates that in order to improve the situation reforms commenced by General Musharraf, i.e. the Police Act of 2002, need to be implemented and it is necessary to improve the entire system of law enforcement.

The positive element of the Pakistani police is, according to many sources, the National Highway and Motorway Police since it is well-equipped and resistant to corruption.

73. *Ibidem*: 1.





9. MEDIA. MAIN MEDIA GROUPS AND THEIR VIEWS

The Pakistani media owe their present development to the policy of General Musharraf who in 2002 introduced a number of regulations concerning their operations and issued licences to private media. The main reason for such changes was the challenge posed by Indian media out-distancing Pakistan. "The justification was just as much a desire to counter Indian media power, as it was a wish to set the media 'free' with the rights that electronic media had in liberal, open societies. The military thought it could still control the media and harness it if it strayed from what the regime believed was in the national interest – and in the accordance with its own political agenda. This assessment however proved to be wrong as the media and in particular the many new TV channels became a powerful force in civil society. Media became an important actor in the process that led to the fall of Musharraf and his regime. By providing extensive coverage of the 2007 Lawyers Movement's struggle to get the chief justice reinstated, the media played a significant role in mobilising civil society. [...] The emergence of powerful civil society actors is unprecedented in Pakistani history. These could not have gained in strength without the media, which will need to continue to play a pivotal role if Pakistan has to develop a stronger democracy, greater stability and take on socio-political reforms."⁷⁴

Most of the analysts believe that freedom of the media in Pakistan may have considerable influence on positive changes within the country, especially in shaping political opinions and political awareness of the, so far, passive part of the society. M. Lodhi enthusiastically believes there is a new era of accountability due to the general access to information. However, according to Lieven, "liberals had assumed that a new media, dominated by educated middle-class people, would inevitably therefore reflect liberal and (by implication) pro-PPP and pro-Western positions." He indicates that "a very considerable portion of the educated middle class is conservative and even Islamist by sympathy." However, media play an increasingly important role in publicising cases that, so far, have been concealed, such as crimes committed by the elites, may motivate masses and, first of all, make more and more people discuss significant public affairs. In spite of the general development of media, the worst access to information is provided in FATA where the only source of abridged information concerning only local issues is Khyber Radio.

In Pakistan publications are issued in 11 languages, mostly in Urdu and Sindhi. Urdu publications prevail in rural areas. They are conservative, folkloric, religious and thrilling, but, at the same time – widely read and influential. English-language media are dedicated to urban elites as they are more liberal and more professional. English-language publishers are influential among opinion-formers, politicians and business society in the highest social layer. There are three groups playing the most significant role at the press market:

Jang Group – the largest press group publishing Daily Jang, The News International, Mag Weekly and Awam in Urdu. It is a moderately conservative group;

Dawn Group – issues the following newspapers: The Dawn, The Star and The Herald (a monthly). The Dawn is considered to be the most liberal newspaper in Pakistan;

Nawa-i-Waqt – a group that issues a newspaper under the same title, as well as Ten Nation in English. It is a right-wing conservative group.

74. International Media Report 2009, Between Radicalisation and Democratisation in an unfolding conflict, Media in Pakistan, p. 17.



The Pakistan Television Corporation (public television) operates six channels. Since 2003 private channels have broadcasted under licence for cable or television broadcast. They are mainly unavailable in rural areas. In the IMR report 49 private channels are listed, including 15 news channels, 32 entertainment channels and two religion channels (other sources list different numbers of channels – to the total of 80 and 5 religion channels). According to recent information, there may be ca. 60 channels. The key media corporations have their own TV stations (Dawn News, Geo TV owned by Independent Media Corporation affiliated by the Jang Group), and these are the most popular channels. Repeatedly criticised by the government, it was closed down in 2009 due to the campaign for the participation in the Lawyers' "Long March". At present, ARY TV and Ajj TV are gaining in popularity.

The most popular source of information in rural areas is radio due to the cost of television transmission or the lack of electricity. While by 2002 the state had monopoly for radio, now there are 40 private radio stations. These stations are owned by industrialists, large media groups, great land owners, and politicians. Radio Power 99, engaged in social and political journalism, is considered to be the most professional one. State-owned Pakistan Broadcasting Corporation (PBC) still dominates in Pakistan with the highest number of listeners in rural areas. Together with FM 101, it has 31 stations covering with its range 80% of the country and 96.5% of the population.

The army has its own media monitoring wing - Inter Service Public Relations. Several small and private media has its own censorship, especially in the case of news concerning the army. Publications in Azad Kashmir need permission of the Kashmir Council and the Ministry of Kashmir Affairs.

Foreign magazines and newspapers are available for the public in Pakistan, international press agencies send their correspondents there – they can move freely in the country although there are some problems with obtaining visas for journalists. There are few restrictions for foreign media with one exception – absolute blockade of Indian television channels.⁷⁵

Journalist is still one of the most dangerous professions in Pakistan. According to the report of the Committee to Protect Journalists (CPJ), eight and eleven journalists died in 2010 and 2011 respectively – mainly in Khyber Pakhtunkhwa and Balochistan. They were probably killed by the Talebans or other parties, but not as a result of the operations of the state apparatus. Besides, many physical attacks, threats and other forms of pressure from the unidentified persons, as well as from ISI, were recorded.⁷⁶

In spite of the freedom of expression in the Internet, there were some reports on monitoring certain websites (websites of the supporters of Balochistan independence), as well as e-mails and chats. President Zardar introduced a number of ordinances concerning the inappropriate use of electronic media. In June 2010 the government announced monitoring of the main websites in terms of anti-Muslim content. The Ministry of Information and Broadcasting is in charge of such monitoring. It monitors mainly Google, Yahoo, Amazon and MSN websites. 17 websites posting blasphemous material were blocked. Internet access, however, is limited to cities (170), and regular power cuts often make it impossible to use it.

75. US Department Of State, report 2010 .

76. *Ibidem*.

NOTES ON THE DOCUMENTS

It should be pointed out that the ICT registration system for documents issued in Pakistan has recently been much improved, which hinders if not prevents corruption, in particular, when it comes to the issuance of fictitious documents⁷⁷ (requesting additional payments for documents' issuance is a common practice). At the level of a village documents are issued on the basis of spoken statements, for instance, certificate of legal capacity to contract marriage, which is confirmed by the nearest office (not valid in Poland – Annex 4, see Annexes). Certificate of no criminal record is issued by the nearest police headquarters. Furthermore, citizens of Pakistan residing abroad, who contact the Embassy to apply for passport issuance, for instance, receive an identity document of Pakistani citizen residing abroad, with the residence address in Poland (see Annex 5). This document, like any issued passport is recorded in the ICT system. In order to be issued a passport in the Embassy, a Pakistani citizen needs to confirm their identity by any ID card, for instance, a Pakistani identity card.

77. A certain Burmese family has informed us that several years ago buying a Pakistan passport was relatively easy. (note of the author).



SUMMARY

In recent years, analysts have tried to forecast the nearest future of Pakistan, starting from the vision of a country at the verge of collapse, to more optimistic ones, resulting from the hope for the emergence of political representatives of the middle class. In her book "Pakistan: Behind the Crisis State", dr Maleecha Lodhi describes five probable scenarios for the upcoming years. The first is the fall of the economy and political malfunction, including failure to politically represent the changing, more urbanised Pakistan and upholding the rigid, outdated patronage structures, building political forces around powerful families which halt reforms, including the fiscal one. This may lead to social unrest difficult to stop, or even to the collapse of the state.

The second scenario is that of the necessary structural reforms' being implemented by a civil government supported by the army, to avoid economic breakdown. However, according to the author such a scenario is improbable due to the lack of support from the community, all political parties and independent judiciary and media alike, which, at present, will not allow any unconstitutional measures.

The third scenario, often presented by the Western experts is taking over of power by groups generally referred to as "Islamic extremists" which, according to the author, is based on fear rather than an in-depth analysis, as these radical groups are assumed to be uniform. Such a scenario fails to consider the geographical dimensions and diversity of the country, nor do they account for the fact that a traditional society is relatively moderate in its views, and the army is strongly disciplined and will not let the radicals take over the country.

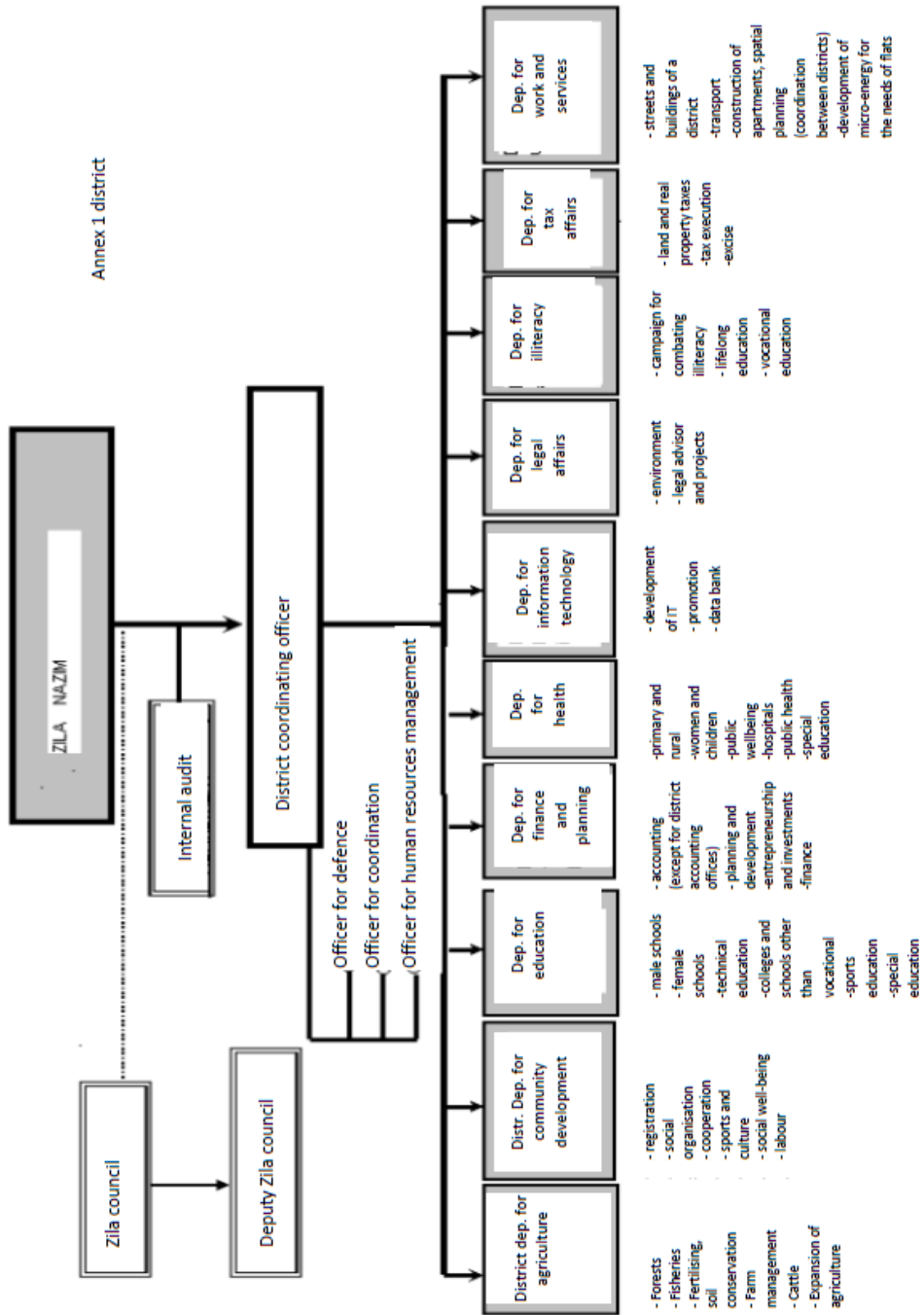
The next scenario assumes that of one or more of the parties, which are anxious that they would lose political ground, decide to implement social and economic reforms and adapt to the new, dynamic transformation, abandon patronage and involve members of the middle class and professionals in the transformation processes. However, such a development would be impeded by the dynastic character of parties and inheriting leading positions in the said parties, as well as support structures resulting from the patron-client relationships with clans and tribes. The last scenario is the most optimistic. a coalition of representatives of the middle class will foster reforms pertaining mostly to the manner of governance. It will aim at adaptation of the needs of citizens rather than protecting the interests of the elites. The coalition will mobilise more public participation in politics and the electorate which has not taken part in elections so far, both in urban and rural areas and among the youth. Changing economic and social dynamic will become a transformation engine for the basic representation in politics and, over time, the governments. Factors that may become the stimuli for changes are: growing urbanisation in the structure and shifting economic advantages (the decrease of agriculture in GDP generation), the emergence of a visible middle class, the spread of modern communication and rising social awareness via the modern media.

Lodhi quotes the example of the Long March of Lawyers in 2007-2008 as a potential for mobilisation in the society, the march of which the potential became, nevertheless, dispersed once the goals had been achieved. Such a scenario is probably impossible in the nearest future, but, according to the author, it should not be underestimated, bearing in mind the support for changes emerging in the society and apparent in the media. It may need time to solidify, but, finally, may become the new shape of the Pakistani policy.⁷⁸

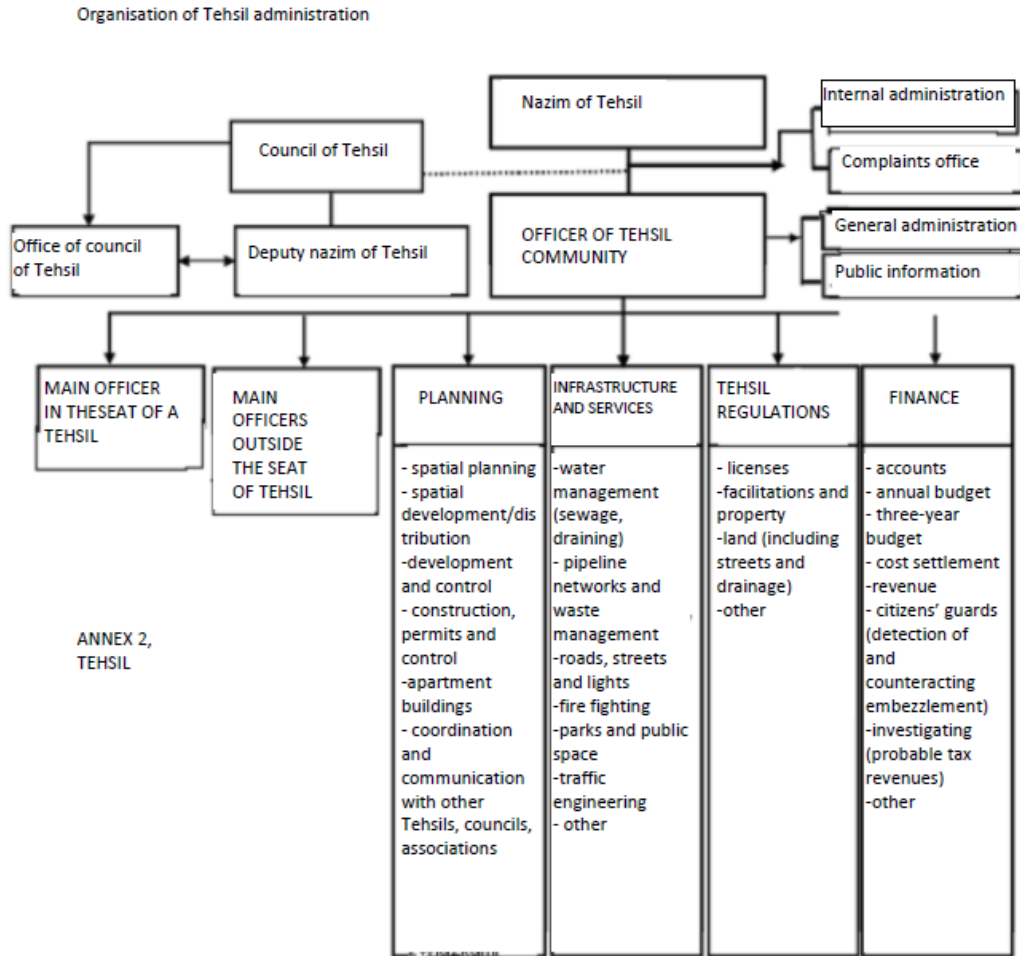
78. *Pakistan: Beyond the crisis state, (Hurst/Columbia University Press/OUP, 2011), <http://www.thenews.com.pk/Todays-News-9-102232-Scenarios-for-the-future> .



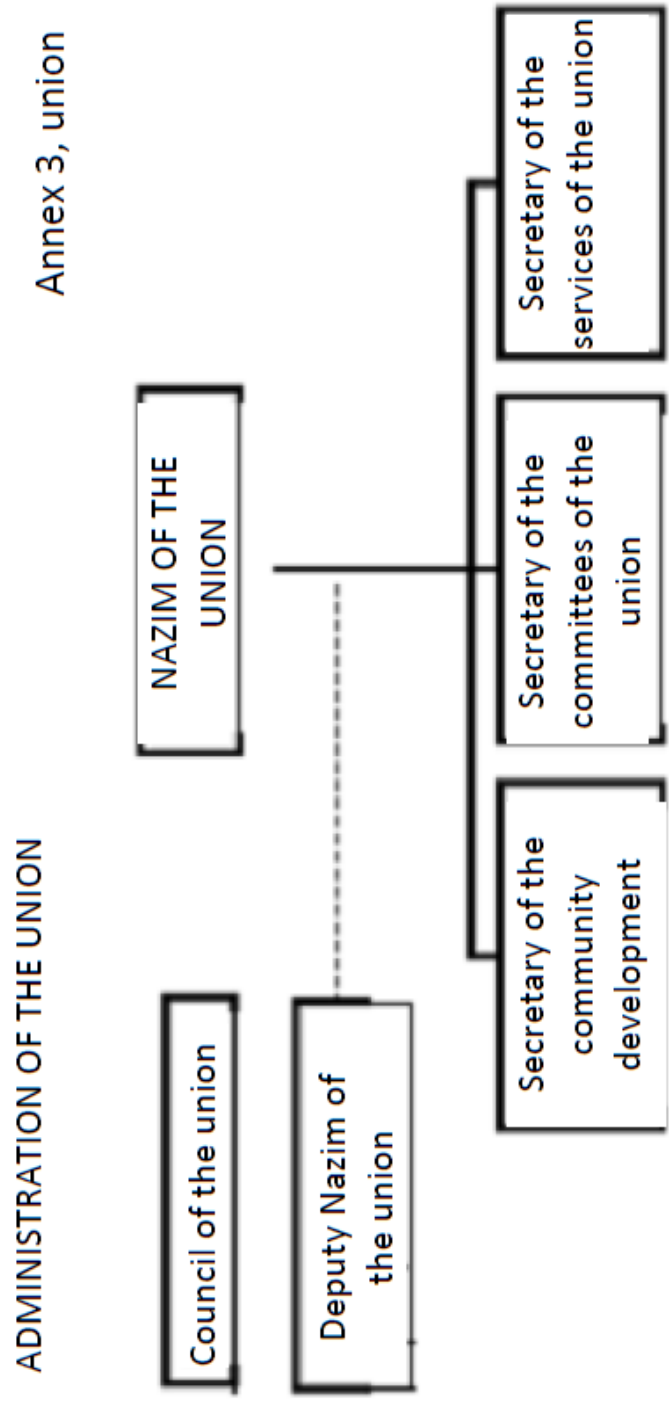
ANNEX 1—ADMINISTRATIVE ORGANISATION OF DISTRICTS



ANNEX 2 – ADMINISTRATIVE ORGANISATION OF TEHSIL




ANNEX 3 – ADMINISTRATIVE ORGANISATION OF THE UNION



ANNEX 4 - IDENTITY CARD OF A PAKISTANI CITIZEN RESIDING ABROAD

**Government of Pakistan
National Identity Card
Overseas Pakistanis**



Name:

Father's Name:


Gender:


Date of Birth:

Country of Stay:

Signature of Card Holder

Ali Ashraf Hakeem
Registrar General of Pakistan





Present Address :

Permanent Address :

is entitled visa free entry into Pakistan

NIC:

Issue Date:

Exp Date:

DICTIONARY OF PAKISTANI TERMS AND EXPRESSIONS

Biraderi – a clan, a kinship group

Madrasa – a Muslim religious school teaching Islam principles, in particular the Qur'an,; some Madrases also provide general education. In order to become a candidate for local authorities, graduating from Madrasa is required.

Naib Zila Nazim - Deputy Mayor

Numberdar – inherited function at the village level. The scope of duties includes formal confirmation of spoken statements, and communicating with administrative authorities at the lowest level.

Qaum – an endogamous kinship group

Sayyed – a Pakistani group of Arab origins, traditionally descendants of the prophet Mahomet

Taluka – an administration unit, corresponding to Tehsil in Sindh.

Tehsil – administrative unit in Pakistan, comparable to Polish powiat

Ulema – a teacher in religious law

Wadero – a landowner of huge property in Sindh, often the head of a clan

Zakat – charity, one of the five pillars of Islam.

Zamindar – a landowner

Zila Nazim – a Mayor, the head of a district



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