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CONTENTS

- Afghanistan 2014 & Beyond: Challenges
& Implications for the Neighbours 3-44
— *Humera Iqbal*
- Pak-China Economic Corridor:
the Hopes and Reality 45-63
— *Aarish U. Khan*
- The Road to Pakistan's Dismemberment: 1971 64-99
— *Maryam Mastoor*
- Election Commission, Electoral Reforms and
Democracy in India: Lessons for Pakistan 100-139
— *Yasir Masood Khan*
I

AFGHANISTAN 2014 & BEYOND: CHALLENGES & IMPLICATIONS FOR THE NEIGHBOURS

HUMERA IQBAL

Introduction

The Bonn Agreement of 2001 marked the beginning of a major phase in Afghanistan's history. Now once again Afghanistan is entering into a new and challenging phase. The end of 2014 has finally pushed the process of security transition that began in 2010 with the departure of International Security Assistance Force (ISAF) from Afghanistan. The security transition has left the Afghanistan's National Security Forces (ANSF) trying its utmost to maintain and take responsibilities of the country's security. How this new phase will unfold for Afghanistan and the region is not yet clear because of the political and security uncertainties attached to the future stability of Afghanistan. The debate over ISAF's withdrawal process, and doubts about ANSF's limited capabilities to combat insurgents in future have not only caused irritation among the Afghan officials but also created a sense of fear in the minds of Afghans regarding their own survival.

A transitional stage in vital areas of high-profile nature has been set out. Afghanistan will be going through four notable transitions, with three of them being political, security, and economic transitions. As a result of these three crucial transitional changes, a fourth transition of humanitarian nature has also emerged combined with the shortage of international community's assistance to Afghans. All the four transitions are linked to each other. These are of utmost importance as they build pressure on the new Afghan government to keep the country from breaking up in addition to what it already inherited from 13 years of Karzai's legacy. The situation of Afghanistan will have irrepressible repercussions on the regional neighbours as well.

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Karzai's legacy: A shambolic inheritance

After 13 years in office, Hamid Karzai left Afghan presidency, bringing a sigh of relief at home and abroad. For the new president, Karzai leaves behind a series of positive, negative and controversial legacies as well as unattended matters. Karzai's legacy can be recorded in three phases. From 2001-2004 when Karzai was seen as a saviour and hero, from 2004-2009 when Karzai was viewed as a shrewd politician maximizing his own power, and from 2010-2014 when his presidency ended with an untidy electoral process.⁽¹⁾

From protagonist to partisan

Karzai was a partisan and a factional leader. He governed on the basis of divide and rule policies and narrow ethnic interests. He played one individual against the other and one ethnic group against the other for his power.⁽²⁾ Karzai, himself a Pashtun, alienated the majority ethnic group of Pashtun and filled his government with other ethnic groups. The resentment felt by Pashtuns was exploited well by the Taliban.

Reliance on traditional politics than modern

Karzai followed an inclusive approach of traditional tribal governance in contrast to the western democratic system. What Karzai understood of democracy was what his father, had Karzai, had practiced in Kandahar as the head of Popalzai tribe, a traditional ethnic based system that used jirga as a governing mechanism. Karzai mixed politics with prayers and relevant talk to keep himself informed of all large and small happenings and in return bestowed informers with favours and cash. Under the Bonn Agreement, the US gave many key roles to around 17 northern alliance warlords out of 30 cabinet members in return for their cooperation. So, Karzai never really trusted his government. However, such tribal governance set reliance on personality rather than on state institutions. In the process, the biggest flaw was that while relying personally on locals he got played and misled by many Taliban sympathizers as well. These very local networks convinced Karzai to restrain the US night raids, release prisoners and even replace local security commanders. The access to resources and position that Karzai has given to these local networks will have an enduring legacy in the form of patronage politics. Hence, Afghanistan remains a country stuck between modernity and tribalism.⁽³⁾

A king maker

The centralized power structure that Karzai had created around himself made him look like a king-maker. For the past many years, Karzai had hand-picked individuals who not only flattered him but made him appear as a larger than life figure. He was surrounded by yes men or operators who otherwise lacked political base and were not consistent with their vision. Karzai's tolerance towards his opponents — even the corrupt and criminal ones — had in fact become a negative trait.⁽⁴⁾

Weak state

Under Karzai, Afghanistan had a long time to introduce reforms and build a state structure but Karzai's biggest failure was his lack of visionary state policies. He did not lay down strong foundations for state institutions as he kept bypassing the government institutions for his centralized rule. This is evident from the latest political chaos resulting from the inept Independent Election Commission of Afghanistan. The new president will immediately have to focus on state building.

Corruption

While forming government under the Bonn Agreement, proficient Afghans were side-lined to give way to inefficient and unskilled ones who lacked good governing traits. Hence, the doors opened for incompetent and extensively corrupt governance that continued throughout Karzai's presidency.⁽⁵⁾

Insecure Afghanistan

Today's Afghanistan remains as insecure and vulnerable to disintegration as it was the day when Karzai came into power. Although the Afghan army has showed a lot of courage in fighting the Taliban attacks, they are still ill-trained and ill-equipped considering the money and training that international trainers had committed to deliver. Afghan police remains corrupt and weak against Taliban coercion. On top of this, Karzai's praises for Taliban's fighting skills and his interest in incorporating the Taliban into the ANA created a lot of confusion for the ANA to either fight the Taliban as the country's enemy or refrain from attacking them. This confusion turned out to be advantageous for Taliban insurgents and a major setback for the ANA.⁽⁶⁾

Weak economy

Karzai had no economic vision. All the grand projects and ideas of making Afghanistan an economic hub for the world were without a plan. For the first time in Afghan history, the international community was willing to invest millions but Karzai lost many opportunities by not investing rightly. He could not increase job opportunities for the people. Millions of dollars were spent in economic aid of Afghanistan but he left behind an economy dependent on foreign military expenditure and foreign aid just like it was when he took over the reins. Foreign assistance is likely to shrink as the drawdown comes to an end.

Peace with the Taliban

Karzai did not follow a rightful strategy for peace with the Taliban. Peace requires neutrality in principle and action, yet Karzai's peace policy lacked such priority principles. A key reason was that Karzai had deep animosity for the Taliban and their regime from the very beginning as the latter had killed his father. Initially, Karzai showed support to the Taliban but with the intention to take back his family power. When Karzai's name emerged as a presidential choice, perhaps as a backup strategy, Karzai thought of persuading

the Taliban for peace. Karzai hoped to gain more power among Pashtuns, met the Taliban delegation and Mullah Omar secretly and managed to strike a deal with the Taliban to join the new Afghan government. However, the US intervention ended up disrupting the whole understanding before the final deal could be made with the Taliban. Karzai could not broker more deals with the Taliban in future to bring them towards peace.⁽⁷⁾ Later, instead of focusing on peace negotiations he not only filled his government with people who fundamentally opposed the Taliban but also concentrated on securing more and more power for himself.

Regional policy & Pakistan syndrome

Instead of forging a regional alliance to ensure Afghanistan's stability, Karzai created distance and a sense of competition among the neighbours, instigated hatred within region, especially towards Pakistan. His anti-Pakistan rhetoric, coupled with an incessant deepening of Indian influence, will continue to impact Pak-Afghan relations in future. Karzai's enmity for Pakistan emanates from the time he lived in the country during the Afghan jihad years, when the Taliban allegedly connected with the Pakistani intelligence, killed his father in Quetta. Moreover, when Zalmay Khalilzad, an Afghan-American of double portfolio, became an Ambassador and Bush's special representative to Afghanistan, he played a vital role in his brief time to align Karzai's interests with Bush in making Afghanistan look like a successful story. Khalilzad was the first official to publicly criticize Pakistan of harbouring the Taliban by taking the side of Karzai to make the country look admirable.⁽⁸⁾ Later Karzai, backed by India, blamed Pakistan for harbouring the Taliban while he himself actively supported and harboured Pakistani Taliban leaders including Latifullah Mehsud and Fazlullah, an inconvenient truth which was later exposed by the US.⁽⁹⁾ Besides with Pakistan, Karzai did little to develop closer ties with other neighbouring countries. Although in the last years of his rule, Karzai reached out for assistance from regional neighbours, yet it was too little and too late.

Foreign policy & the US

By December 2001, the Taliban had been defeated and most of the old mujahideen leaders were either killed or discredited. Karzai by that time had become a trustful aide of the Americans because of his long established links with the US. Karzai's father, Abdul Ahad Karzai, a prominent tribal chief of Popalzai tribe in southern Kandahar, took refuge in the US along with his family when Soviet Union invaded Afghanistan. Karzai remained behind and joined the US-funded jihad against the Soviets in 1983 and organized money and weapons through the US embassy for tribal commanders. When the Taliban came into power, he began an anti-Taliban movement to overthrow them from his native Kandahar province. This made him look like a pragmatic political player who maintained good relations with the CIA.⁽¹⁰⁾ Later the CIA also rescued him from the Taliban in southern Afghanistan and the US diplomats lobbied for his appointment as the rightful presidential candidate.⁽¹¹⁾ However, the celebratory start in the relationship came to a soured ending, beginning with the second term

of Karzai in office. That the US was conceiving second options against Karzai was a personal blow for him. This started a new era of harsh relations between the two countries with Karzai infuriating the US by referring to the Taliban as his brothers at times.⁽¹²⁾ Karzai even told the US officials that of the three enemies he faced, the US, the international community, and the Taliban, he would side first with the Taliban.⁽¹³⁾ Karzai, however, felt betrayed not only by the US for sidelining him but also by the Taliban. It was his suggestion initially to negotiate peace with the Taliban but both the US and the Taliban sidelined him in their secretive peace talks. Karzai criticized the US and the NATO forces for causing civilian casualties, but nevertheless decided to ignore the casualties caused by the Taliban in order to turn them against the US.

A president in the shadow

To keep himself in a safe and politically active seat, he has built a secure residence within Arg palace's vicinity to reside in. This way he remains a shadow power player. Moreover, the complex system based on power brokers and tribal interest groups that Karzai has built will make the new president heavily dependent on him in order to run the administration smoothly.⁽¹⁴⁾

In conclusion, the good work that Karzai did is little but needs mentioning. Karzai managed to ratify the Afghan constitution even without proper implementation; educated young urbanites got connected to the world; there was greater freedom of expression through more than 89 television channels, 220 radio stations and 600 newspapers active around the country.⁽¹⁵⁾ However, his successor will have to deal with the future crisis besides handling his inheritance of so many ills with great skill and arguably, much difficulty.

An assessment of Afghanistan's current situation

Political transition & challenges ahead

Election 2014

Afghanistan embraced a new era in its political history by conducting a successful democratic presidential election held on 5th April 2014. The country witnessed a strong belief in the continuation of democratic process and antipathy against insurgency when over 7 million enthusiastic voter turnout was reported despite security threats in the first round of the electoral process. Although the turnout was high with around 57% of eligible voters participating in Afghanistan's first democratic transfer of power, the contestants could not receive an absolute majority of votes. The two top contenders, Dr. Ashraf Ghani Ahmadzai and Dr. Abdullah Abdullah had to go through a second round of runoff in accordance with the Election Law of Afghanistan.⁽¹⁶⁾

The second round of elections held on 14 June 2014 saw less enthusiasm than the first one, as it was spoiled by security threats and attacks by the Taliban. The second round was also a clear portrayal of the ethnic polarization of Afghan society, especially between the two prominent communities who voted for their candidate i.e. Pashtuns for Ashraf Ghani and Tajiks for Abdullah. Moreover, the release of the runoff result led the country

into a stalled state while both the communities resorted to inflicting ethnic based venom on each other.⁽¹⁷⁾

The stark difference between the results of the two rounds was bound to create chaos. Abdullah had received 45 percent of the votes in the first round of elections but in the second round he received 43 percent. Ghani's percentage of votes leaped from 31 percent in the first round to 56 percent in the second round. Besides this, the total voter turnout jumped from seven to eight million from the first to the second round, despite less voter turnout during the runoff.⁽¹⁸⁾ An approximate gap of one million votes was needed to swing the electoral results in favour of Ashraf Ghani, that Abdullah alleged was done by IEC through filling ballot boxes in favour of his opponent to make him a presidential winner.⁽¹⁹⁾ Hence, both sides with their supporters blamed each other of using illicit means to gain power. This encouraged the Taliban to make a mockery of the democratic system; weaken Afghan security force's morale; and create doubts among Afghans about the legitimacy of political institutions.⁽²⁰⁾

The Unity Government: A diplomatic achievement or challenge?

The politically stagnant country after five months of electoral feud was rescued by the mediatory role of the US, played along with the support of the international community. US Secretary of State John Kerry brokered a power-sharing deal to resolve the political deadlock that allowed both the presidential candidates a part in the future government in the form of the National Unity Government. Once the final results of the full audit of votes undertaken by the international community were announced, a deal was proposed to the losing candidate, and he was offered the influential position of the newly created Chief Executive Officer (CEO) with significant powers similar to an executive prime minister of the government in the new Unity Government. The president will have more powers as granted by the Afghan constitution, the chief executive while reporting to the president will be handling the daily affairs of the government. As an effort to keep the Unity Government intact, the US and international supporters attached a precondition of a democratic transfer of power for the continuation of international aid.⁽²¹⁾

The Afghan elections, which were meant to showcase Afghanistan's political and democratic maturity to the world, proved to be stuck in an ethnic debacle with political elites weighing their own self-interests and greed even at this crucial turning point for their country. The supporters of each side kept debating whether Ghani will be exercising more power or Abdullah will be acting as an equal partner. The debate ended with great reluctance after a series of negotiations with John Kerry. Therefore, once Abdullah agreed to the formation of a Unity Government, Ashraf Ghani and Abdullah were sworn in as the President and the Chief Executive Officer, respectively, in a ceremony on 29 September 2014.⁽²²⁾

Ashraf Ghani and Abdullah Abdullah as former cabinet members in the Karzai administration had strained co-working relations then. Even now, it will take them a few initial months to adjust to the new office and governance. It is too early to rate the success of the Unity Government and whether it is a short-

term diplomatic achievement or a failure in the long term. The complexity of the division of powers laid out in the agreement, not stated in Afghanistan's Constitution, demands much agreeability from the new governmental heads and stands out as a matter of immediate concern. The Unity Government is more of a fabricated structure rather than a union. The deal has created a Council of Ministers to be headed by the Chief Executive, including two deputies and all cabinet ministers. Besides this, there will be another cabinet, constitutionally headed by the president and also consisting of ministers. According to the deal, "the CEO will be responsible for managing the cabinet's implementation of government policies, and will report on progress to the president directly and in the cabinet." The complexity of making the unity deal work becomes further complicated under another clause that calls for "parity in the selection of personnel between the president and the CEO at the level of head of key security and economic institutions, and independent directorates."⁽²³⁾

The debatable question is what would happen if conflict of interest and personalized choices turn out to be points of contention between the two power heads, or when the strategic functions clash with the daily functions that come under the strategic areas? This will include decisions regarding Defence, Finance, Intelligence, Commerce, Independent Directorate of Local Governance, all of which are not excluded from home affairs or the management of daily concerns. The only indication for the resolution of conflict is suggested under another clause for the president and the CEO, in which collaborative and harmonious terms of partnership are emphasized at a personal level in order to make the Unity Government work effectively.⁽²⁴⁾

How this will be achieved has not been mentioned. The only plausible solution will lie in reasoning and maturity of both the heads to keep the country stable by calming down the edgy ethnic faultlines between the North and the Southeast regions of the state. The Taliban had already capitalized on ethnic lines by propagating that the election was imposed and engineered by foreigners. Infact the ethnic divide in Afghanistan appeared so clear on the surface that the new government for Ashraf Ghani faces greater incentive to remain necessarily intact for the sake of future stability. Under Karzai, it was the Pashtuns who felt resentment towards the state whereas in the current post-election scenario such is the situation of the Afghan minority groups.

Reforms & parliamentary elections next inline

The top challenge for the new Unity Government is unity itself. Ashraf Ghani, a President with his hands tied to power-sharing string, will have to bring political and electoral reforms as an urgent task before the next year's parliamentary polls. There is a strong need to dismantle kleptocracy and define policy and reforms aiming at establishing long-term democratic foundations and good governance.

Afghanistan has become the world's most sophisticated kleptocracy and the world's most corrupt government in-line with North Korea and Somalia, according to Transparency International's Corruption Perceptions Index.⁽²⁵⁾ The Afghans have started raising their voices against the high level of corruption –

and this remains one of the key factors keeping their country off beam. Foreign countries seeking business in Afghanistan often end up leaving due to desperate corruption demands at the top level. Moreover, much of the budget aided by international community is spent on government officials' payments and protocol due to the large size of the cabinet and ministry officials hand-picked or accommodated by top heads. The political reforms should carefully follow reduction in cabinet and ministerial appointees' numbers who indulge in easy corruption and abuse their political office. This would ensure less economic burden and more investment in the much needed development sector as well as in the security forces.⁽²⁶⁾

Next year's parliamentary elections would not be an easy task. While the global world is absorbed in talking about the presidential contest, local discussions have begun on the provincial elections that would be held simultaneously and that will set the stage for the parliamentary elections of 2015. These elections are important because they actually connect the local communities with the national government through their representatives.

The country would again undergo deep demographic changes with possibilities of political actors repositioning themselves and rebuilding alliances to preserve their own powers on the basis of patronage networks. Even if by any chance the 2015 elections manage to be transparent, it is most likely that political upheaval would still take place. The elites and power brokers start competing for their share in the government and at times re-arrange their patronage networks. The central government often ends up negotiating with them to fulfil earlier pledges made for key posts. For example, after the 2009 re-election of Karzai, the parliament nullified most of his chosen candidates for ministerial positions that followed an uncertain period of political chaos. Similarly, in the Unity Government, allocation of ministerial posts and provincial posts might end up creating tensions among various political groups from both Ghani and Abdullah supporters.⁽²⁷⁾

However, gauging from the recent post-electoral developments, elections in 2015 would most likely undergo similar manipulative and fraud disturbance generated by instrumental mechanism of networks. Political contenders in Afghanistan still rely on local power brokers, possibly because elections are only a means of transferring power for them and they still lack an understanding of the correlation between democracy, political liberalization and stability. Perhaps democracy is not the primary priority in comparison to security. For every election held whether presidential or provincial, western officials have been more concerned about the level of corruption while Afghans in general have been focused on the outcome of the elections.

Interestingly, the demographic changes that Afghans went through in the past decade have given rise to young and educated section in society. They demand transparent and accountable role of the political system. President Ghani with an academic background can bring a positive change in the stereotypical political system of the country by reaching out to this generation of educated people. Many young Afghans are already actively mobilizing on future reforms and transparency.

Afghanistan's political history has proven that any attempt at rapid political liberalization brings out adverse results, so instead of expecting a rapid change, priority should be drawn out for the rightful areas wherein change can be brought. Meaningful reforms can be generated if an approach of prioritizing the electoral process is done. Instead of taking an approach of quick fixes, like that of the Unity Government, which primarily brings media limelight and little change, more meaningful reforms can be consolidated to allow for a participatory and stable system. So far the elections of 2004, 2005, 2009, 2010 and 2014 held in Afghanistan under the democratic banner have all been plagued with fraud and corruption. And each time, this plague establishes a sense of disappointment and inequity among Afghans who feel disgraced as voters, and manipulated at the hands of political elites. Afghanistan is a young democratic country still experimenting with the idea of democracy, and the culture of monetary manipulative traits is embedded in its society. The establishment of an accountability mechanism would go a long way in bringing about gradual change from the grassroots level.⁽²⁸⁾

Security transition: A rocky jump ahead

Bilateral security agreement & status of forces agreement

In what was the very first task after the formation of the new government, Afghanistan signed the long-delayed Bilateral Security Agreement (BSA) with the US and Status of Forces Agreement (SOFA) with the NATO respectively, both of which allow a limited number of American troops to stay in Afghanistan beyond 2014.⁽²⁹⁾ For the Afghan government, national sovereignty was contingent on a strategic partnership decision for their future security of their homeland as authorized by the United Nations Security Council (UNSC) resolution. Consequently, a pact was signed between Afghan National Security Advisor Hanif Atmar and US Ambassador James Cunningham and a similar pact between the Afghan advisor and a NATO representative.⁽³⁰⁾

The BSA was enforced from 1 January 2015 until the end of 2024 and beyond, except if it gets terminated by either side with a two-year notification. The pact provides a legal framework for 9,800 US troops, as announced by President Obama, to stay in Afghanistan with the drawdown pattern of a rapid decrease into halves at the end of 2015. It would then further reduce to a token number of less than 1,000 forces by the end of 2016 to train, advise and assist the Afghan National Security Forces (ANSF),⁽³¹⁾ with funding of up to \$8 billion annually in military assistance for the next three years.⁽³²⁾ The security agreement SOFA signed with NATO the same day would have 4,000-5,000 additional troops mainly from Britain, Germany, Italy and Turkey to stay in post-2014 Afghanistan in a non-combatative role. The NATO mission known as "Resolute Support" also started from 1 January 2015. The NATO countries would stay through 2017 to finance ANSF and strengthen political and institutional partnership with the country. Hence, the total number of foreign soldiers staying would be up to 14,800.⁽³³⁾

One big concern in everyone's mind is regarding the capabilities of Afghan National Security forces (ANSF) to keep their country and its people

free from insurgent threats and the final drawdown plan announced by Washington. With the beginning of 2015, around 350,000 poorly-equipped Afghan forces took over the fight with the Taliban and this will serve as a test of the real capacity and fighting skills of Afghan forces. The challenge for the American and NATO forces left behind is to succeed in helping Afghan security forces to keep the country from falling into the Taliban's hands once again.

Therefore, the final drawdown pattern and the number of troops suggested by President Obama could end up in a disaster for everyone. Realistically the fear of Afghanistan turning into another Iraq nightmare due to the US drawdown plan is a natural one. Ahmed Rashid, a renowned journalist, has famously described the rapid withdrawal strategy as "catastrophically wrong" and has envisaged that it could only lead Afghanistan into a civil war, especially with the rise of other extremist groups such as the ISIS in Iraq and Syria.⁽³⁴⁾

The new Unity Government remains fragile, and the ANSF barely able to secure their bases from the Taliban on their own. Given the magnitude of problems in Afghanistan, the limited number of troops staying behind, pales in comparison to the enormous fully-equipped presence of international forces in the country for the past decade. If the fear of an impending civil war brings out more efficient capabilities among the Afghan forces to learn, fight and secure, would the ANSF still be sufficient and sustainable beyond 2017? This question leaves the future uncertain.

Moreover, another key challenge for the ANA to tackle in the future would be the imbalanced ethnic composition within its ranks. The main problem appears in the southern Pashtun region where fighting is fierce, and there is less Pashtun representation in the armed forces. If the capabilities of the ANA work well, as planned in future, there are serious risks of ANA's fragmentation or structural collapse on the basis of ethnic, sectarian, tribal and domestic regional patronage and differences. Next to this there are fears of politicization of the ANA due to the presence of warlords or certain political interference in the affairs of the ANA. So keeping the ANA apolitical and neutral under any state of affairs needs considerate work.⁽³⁵⁾

The security pact permits – in writing – the US troops to conduct combat operations in Afghanistan. The NATO assistance mission led by the US will, on the other hand, be excluded from the combat support and will focus on training.⁽³⁶⁾ The combat operational strategy allows the US to retain bases at about nine separate locations across Afghanistan other than the embarkation and debarkation facility areas for the unloading of troops, equipment and supplies from shipment and aircrafts take place.⁽³⁷⁾

The agreed airbases and areas provided by Afghanistan for the use and access of the US Forces are the Kabul Airbase, Bagram Airbase in the East, Mazar-i-Sharif in the North, Shindand in the West, Herat in the west near Iranian border, Kandahar and Shorab (Helmand) in the South, Gardez and Jalalabad in the East, a key gateway to Pakistan and a base for drones. Besides these, other facilities and areas at other locations would be provided to the US forces once authorized by the Defense Ministry. The land ports agreed under the

agreement includes Torkham in the Nangarhar province; Spin Boldak in Kandahar province; Torghundi in Herat province; Hairatan in Balkh province; and Sher Khan Bandar in Kunduz province.⁽³⁸⁾

However, the combat strategy raises certain challenging concerns regarding the role that the Afghan security forces are going to play with the assistance of foreign troops. From the preamble passages of the pre-decisional BSA document of 2013 till its end, a major point of concern is the use of terms such as “combat operations” or “combat terrorism” in order to free Afghanistan from al-Qaeda and its affiliates. The document basically allows for the continuity of combat operations and states clearly that, “unless otherwise mutually agreed, the US forces shall not conduct combat operations in Afghanistan.”⁽³⁹⁾ As also mentioned by President Obama, troop reduction would pursue twin objectives, i.e. the training of Afghan forces and the conduct of counterterrorism operations against al-Qaeda.⁽⁴⁰⁾ Lately, US officials also confirmed of approving combat operations on Pentagon’s request in Afghanistan, through the use of ground forces, manned aircraft and drones beyond 2014. These operations would be conducted in three situations: against al-Qaeda and other “transnational” terrorist groups; for the protection of US forces involved in training or other activities; and for the assistance of Afghan forces.⁽⁴¹⁾

The issue of concern is how the drawdown timeline will play up against Afghanistan’s predicted descent scuffle. Owing to the political debacle of the last few months, any chance of revising the security pact seems lost. Growing internal security pressures, Taliban resurgence in some areas arising from indecisive electoral results along with the international community’s patience running out led to a hasty signing of security agreements as a solution to Afghan anxieties. This can turn out to be a good decision but the future disposition of Afghans towards foreign troops operating under BSA could potentially also turn hostile. Time is precarious as well as uncertainties that come with it. Some immediate concerns may as well stem from the highly controversial combat operations strategy in the future.

The only clarification regarding the future implementation of the combat operations that President Ghani made in his speech was that the BSA will not permit the use or deployment of chemical and nuclear weapons in Afghanistan. Moreover, foreign forces were not to be allowed to enter mosques and other holy places across the country.⁽⁴²⁾ The newly appointed heads did not address the issue of resentment felt by Afghans towards foreign troops’ policy of searching homes in the past. Objections were at the way foreign forces used to break in Afghan doors at night to carryout raids against self-suspected insurgents. These raids many times turned out to be against innocent civilians inspected of being insurgents due to wrong intelligence information. The issue became a contentious point between former President Karzai and the US officials, leading to the refusal of signing the BSA as Karzai wanted to ban the night raids in future counterterrorism operations. Moreover, Washington has not given clear specifications as to the scope and nature of the counterterrorism operations that would be carried out in partnership with the Afghan forces. Even

though the language of the agreement has been tailored to put the Afghan forces at the frontlines of counterterrorism raids, the assistance of US troops involving a commando element remains evident.

A second point of contention that might appear in the future is about the immunity favour granted to American soldiers. The agreement in writing exclusively prevents the US military personnel from being prosecuted under Afghan laws for any criminal or civilian misconduct they commit in Afghanistan. In fact, the US has kept the jurisdiction over the criminal proceedings or actions involving its troops in the country to itself. The provision, however, excludes US civilian contractors as Afghanistan gets jurisdiction over US contractors and their employees. If the new Unity Government had not acceded to this provision, Washington might have backed down on signing the BSA like it did in Iraq when the government refused to give the US troops immunity, leading to an end of US presence in the country.⁽⁴³⁾

A third concern that can either inflame or calm down the future regional environment of suspicion and animosity would be regarding the use of force outside Afghanistan in the name of self-defence. President Ghani, after signing the security pact, declared that the right to use force would be exercised by the Afghan government and the air space will be controlled by the Afghans themselves.⁽⁴⁴⁾ Through a televised speech, Ghani for now did assure the dignitaries and the world that the BSA would not infringe any country's sovereignty and laws and also the presence of foreign troops would not threaten neighbouring countries. Ghani pointed out that the agreement was in the Afghan national interest and that it could be amended if it is needed and in the interest of concerning parties.⁽⁴⁵⁾

A key question over here concerns the parameters of national interest on the basis of which the use of force will be conducted. While the BSA is not a defence pact that commits the US to defend Afghanistan in case of attack or any external aggression, the concern that perturbs regional minds follows from the script that Washington "shall regard with grave concern any external aggression or threat of external aggression" and that Washington and Kabul would work together to develop "an appropriate response," including considering political, military, and economic measures.⁽⁴⁶⁾ Hence, the nature of that appropriate response defined by the Afghan national interest in response to self-perceived threat may not correspond with the perception of the neighbouring countries. How far the US would agree to defend Afghanistan against external threats, without aggravating the regional tensions is yet another question mark.

A fourth concern in the minds of both Afghans and the regional neighbours is regarding the US interests to maintain its military bases in Afghanistan. Will the US maintain its bases permanently or just until the final withdrawal time? Last year in May, former President Karzai stated that Washington desired to have nine bases in Afghanistan, which would in turn be accepted by the Afghan government. Even though the US officials repeatedly insist that they don't seek permanent bases in Afghanistan, the BSA authorizes the US to maintain existing bases and build new facilities as agreed by both sides.⁽⁴⁷⁾

Whatever the decision the US makes will have an impact on the regional neighbours of Afghanistan. Already the US presence in facilities is located strategically where it can keep an eye on the rest of the region. A notable number of US bases mushroomed all over Afghanistan agitates the neighbouring countries about the US intentions behind counterterrorism assistance. Hence, both long-term presence or a limited one will remain a cause of concern. Even local Afghans have been expressing mixed feelings about the continuing American presence in their country. Due to the threat of Taliban violence, it is one thing for Afghans to feel no choice but to tolerate the presence of foreigners as protectors and trainers to their security forces and giving confidence to foreign donors to keep investing in their country; but another to give them long term presence, which, arguably would be intolerable to most Afghans.

Taliban: Battle between resurgence & negotiations

To make the security transition a success, it was a smart act by President Ghani during his inaugural speech to invite the Taliban and other militant groups, such as Hezb-e-Islami, to embrace peace and become a part of political process by renouncing arms. Ghani Ahmadzai expressed openness to listen to the grievances of the insurgents in order to find a possible workable solution. But that same open invitation excluded the Taliban leader Mullah Omar who is on the UN's terrorist watch list.⁽⁴⁸⁾ President Ghani's policy of cautious engagement with insurgents in peace and political talks is a shift from what his predecessor had been trying to achieve. Former President Karzai had become so much accommodating towards the Taliban and other insurgent groups that on many occasions he called the Taliban his 'brothers' and publicly invited Mullah Omar for joining the political setup of Afghanistan by renouncing violence.⁽⁴⁹⁾ So the Afghan peace process inherited by the new government has practically reached nowhere and as in the past, the Afghan Taliban have persistently rejected indulging into proposed peace talks. Therefore, to make the new peace strategy workable, a clear understanding of Afghan interests and that of the insurgent actors will have to be defined. Peace in Afghanistan is very much dependent on the way future political policy-making and security situation develop in Afghanistan.

The failure to come up with a clear successor to Karzai in Afghanistan following an electoral debacle stalled the law and order situation allowing the Taliban influence to spread in a number of populated areas. Many areas were either partially or fully recaptured by the Taliban. Key factors contributing to the Taliban's territorial gains other than the intensified tensions between the electoral candidates were the access of the Taliban to additional weaponry; flaws in Afghan Local Police (ALP) control, with so poor training that they mostly felt no choice but to surrender or change sides with Taliban; and finally a grey area of support from the disillusioned local populace.⁽⁵⁰⁾

The Taliban's timely summer operation was not only launched in the districts that had their influence but also in areas where they had marginal influential presence, like in the north of Afghanistan. They took control of areas that were under ANSF control and at present the ANSF is carrying out large-

scale operations to clear insurgents from the once secured areas. This deterioration of security had affected the second round of elections badly. Local power brokers in particular with their own militias also played the Taliban resurgence and electoral debacle to their advantage. They supported and facilitated the Taliban so they could gain advantage of positions in the next government.⁽⁵¹⁾

The convergence of interests between the power brokers and the Taliban or other militant groups gravely disrupts the peace process. Similarly, it can be anticipated that the period of 2015 will see more bloodshed in Afghanistan with the Taliban testing their strength against the ANSF –unless two future developments emerge to strike the Taliban, i.e. if a strong responsible Afghan government that enjoys greater legitimacy emerges; and if the ANSF convinces Taliban of its stronger capabilities of controlling the devastated situation. Consequently for now, the Unity Government can explore a carrots and sticks approach based on a combination of pursuance and openness along with a weakening insurgent morale that would force them to relinquish violence.

For the peace plan to meet its goals, a comprehensive and clear policy needs to be outlined that would bring all government officials and people on the same page. Even officials like Abdullah Abdullah as a CEO would have to opt for a more flexible and supportive approach towards the Taliban. Abdullah and his party supporters had always remained stern towards the Taliban. Karzai's envisioned 'Peace Process Road Map to 2015' offered prestigious positions in Afghan Cabinet and posts like provincial governorships to the Taliban that was unacceptable to ethnic minorities. Even during his electoral campaign, Abdullah's stance on dealing with the Taliban was to keep the negotiation door open as desired by the Afghans but not to compromise on pleasing the small number of insurgents as well.⁽⁵²⁾ The focus should be based on pleasing the insurgents or understanding their primary point of contentions to take the peace process ahead. In the words of President Ghani: "We want to say, clearly, to all political opponents, that war is not the solution for Afghan problems. An Afghan-led peace is the only way and political opposition must be transformed to a political process."⁽⁵³⁾

Perhaps some reforms accommodating Taliban interests in the interest of peace might workout effectively for all the parties. Another proposed solution for resolving tensions could be to involve a group of insurgents, along with other groups of women and ethnic groups, in a political process that would form an appropriate reconciliatory agreement between the government and the Taliban. If a unity group incorporating all Afghan ethnic representatives based on democratic political ideals negotiates with the Taliban for the reconciliation, it would not only weaken the Taliban position but also ensure a greater guarantee of preserving wider gains for Afghanistan. This would leave the Taliban with the option of reintegrating into the political setup of present day Afghanistan that is supported by the Afghan populace.

Furthermore, the past decade of conflict in Afghanistan has replaced ideology with money and vengeance. The suppression of resources by the international community has transformed the Taliban into a loose network, a

kind of profit-driven franchise aspiring financial gains through any means available. The Taliban profited financially from insecurity and recruited economically stagnated members of the society. Major sources of Taliban funding can be targeted to weaken the Taliban. Some sources include poppy growth and drug trade, protection money charged to international and government contracts, Islamic taxes like Zakat and Ushr and other extortion taxes from local businesses based in parts of their control.⁽⁵⁴⁾ Afghan government can convince the international world to permit license for legalizing opium cultivation for pharmaceutical usage; that would not only hamper insurgency funds but also economically stabilize the country.

At present, the US-Taliban rounds of negotiations remain cancelled with no visible progress at the Afghan-Taliban side as well. Like the Doha talks, a secret deal with Karzai most likely was a ploy to stretch out time to acquire international recognition and strength to takeout the remaining foreign troops left at the end of 2014. Since the US was prepared to pullout, it has intensified air combat operations in Afghanistan. The latest pentagon statistics showed that the US dropped more bombs on the Taliban and other insurgents in the recent months than ever in the last two years. Perhaps it's a move to overthrow the Taliban and their recent gains scored due to post-electoral political vacuum. After the drawdown, air operations would be higher than the strikes from bases. The reliance on air strikes than ground troops might also be an indication of the next phase of the war ahead in the post-2014 scenario.⁽⁵⁵⁾

To surpass the civil breakdown of Afghanistan, the Afghan government would have to balance engaging the Taliban with continuing the fight against them, with or without Pakistan and with or without the US assistance. For starters, the government in Kabul can revisit reconciliatory policy issues by lifting up the ban imposed by Karzai on the two-track meetings between the Taliban representatives and unofficial Afghan groups with the help of the UN or whichever mediator considered suitable to the Afghans.⁽⁵⁶⁾

Economic transition

Apart from managing security needs, the biggest challenge facing Afghanistan is the economic transition. Six months of uncertainty over the Afghan election and the drama associated with every round left the weak economy more shattered. It was an economy at the mercy of foreign aid with the government struggling to raise enough revenue through taxes and custom duties.

The current financial situation of Afghanistan is an eye opener. Just two days before the swearing in presidential ceremony, the Afghan finance ministry informed of delaying the salaries to hundreds of thousands of civil servants in October because of insufficient funds. Salaries were only paid to the Afghan military and police as it came from a separate fund. Afghanistan's treasury had less than 6.5 billion Afghanis (\$116 million) only. Already more than two-thirds of Afghanistan's budget is funded by foreign donors. Having no choice, the US was asked for emergency funding of about \$537 million to meet the country's budget commitment till December 2014.⁽⁵⁷⁾

US Ambassador to Afghanistan James Cunningham responded that additional funds would only be borrowed from donor pledges post-2014, until then the new government would have to cut its spending and raise revenue.⁽⁵⁸⁾ The ambassador's tone spoke business, a reminder of how the future relationship would be between Washington and Kabul – unlike the past decade when the US threw uncountable money but received complaints from Karzai.

In essence, Afghanistan's economy had been based on four economies i) the aid economy driven by NGOs, USAID and the Commander's Emergency Response Programme (CERP) funding; ii) the war contracting economy, driven by immense expenditures on private security and military transportation and construction; iii) the narcotics economy centred in the south; and iv) the real Afghan economy, which has been the smallest one among the four. The largest first and second of the mentioned economies has shrunk significantly since the end of 2014 and might disappear speedily thereafter.⁽⁵⁹⁾

According to the World Bank assessments, the GDP growth rate slowed from 14.4 percent in 2012 to only 4.2 percent in 2013. Afghan economy remains just at \$20.72 billion, one of the poorest in the world.⁽⁶⁰⁾ It is estimated that once the drawdown will begin, the Afghan currency will also tumble. The agricultural production declined in 2013, even though opium production thrived and will expectedly continue to thrive beyond 2014. With the departure of foreign forces and western organizations, tens and thousands of Afghan labours like cooks, drivers, translators, cultural advisors, local liaisons would be left with huge unemployment crisis. In many cases, a single income is estimated to support more than five members of families. The lack of employment opportunities with no secure future insight has already compelled the educated lot of the Afghan populace to find employments abroad.

Due to political and security uncertainties, there is a lack of business confidence as far as international investors are concerned. The regional and international projects like oil pipelines remain suspended. Infact the famously conferred Aynak Copper mine to Chinese investors had to pull out its workers due to Taliban threats.⁽⁶¹⁾ Grand economic projects propagated by Karzai to get investor's attraction remained flawed due to insufficient security arrangements and lack of visionary tangible groundwork. Karzai assumed that the international community would keep on pouring millions of dollars in foreign aid to Afghanistan, but it seems aid and accountability will go together in future.

Hence, there is much pressure on Ghani and Abdullah to save their country by not only gaining the international community's confidence, but also investor's interest abroad and in the region as well. The world and Afghans at home are hoping with high expectations that a former World Bank president with global connections, a technocrat, a former finance minister in the Karzai administration with economic development ideas, may set things right to save Afghanistan from falling into another episode of chaos.

During the short span of time as a finance minister in the Karzai administration, Ghani had worked on reforms and introduced several notable public investment programmes like the National Solidarity Programme, issued centralized revenue policies, formulated an economic development strategy

known as National Development Framework (NDF) based on the needs of economic development and poverty reduction. It was also presented to donor countries at the Berlin Conference held in 2004 as a seven-year plan called Securing Afghanistan's Future.⁽⁶²⁾

During his campaign, Ghani talked of taking strict actions against corruption. He focused on development projects like the construction of Kajaki hydroelectric power dam, finding market for cotton produced in the country, infrastructure and mines development.⁽⁶³⁾ While introducing economic reforms, the priority areas for the new government should be to direct Afghan desired projects and development programmes. For the past decade the international community had invested billions of dollars to build economic infrastructure of Afghanistan but achieved less as it was based on their interests and choices rather than on Afghan needs.

The aid hunger also resulted in the collapse of the country's central bank known as Da Afghanistan Bank (DAB) in 2010, which had to be transferred from finance ministry to an independent institution status.⁽⁶⁴⁾ Ghani would have to choose honest and committed specialists for the right fields in order to benefit from their expertise. A need to create new employment opportunities in the country is essential so that the energetic educated class of Afghans working abroad can return home to contribute in building their country.

Afghanistan needs a basic fiscal policy structure that would outline its short-, medium- and long-term expenditures and revenue objectives to aggregate demand and GDP fluctuations in the economy. An economy centred on trade than aid would have less burden on weak economic structure of Afghanistan. A kind of barter trade can also be introduced by the Afghan government where international community can benefit from Afghanistan's numerous unexplored natural resources like oil, lithium, iron, copper and geographical resources like land, water, climate in exchange for Afghan skills. That would be a way to keep the international aid and trade commitments going on.

For now, the traditional Afghan donors like the European Union (EU), the US and Japan have committed to continue their support to Afghanistan beyond 2014. But their future aid would clearly be based on government's performance and corruption check.⁽⁶⁵⁾ For instance, the Tokyo conference on Afghanistan held in July 2012 as a follow up to the Bonn Agreement of 2011, was attended by the Afghan government and international participants such as the US, the UK, Germany and Japan to offer funds. The participants affirmed to support Afghanistan throughout the 'Transition to the Transformation Decade' from 2015 to 2024.⁽⁶⁶⁾ But a series of strict conditions were attached to the US\$16 billion aid. These conditions range from anti-corruption measures to good governance such as countering narcotics, improving justice and human rights, improved banking, fighting money laundering and terrorist financing, tax collection, raising tax revenues as a portion of GDP to 15 percent by 2016 and 19 percent by 2025 from the present 11 per cent, reintegration of Afghan refugees as a crucial effort to the contribution of security and stability of the country.⁽⁶⁷⁾

While international pledges remain vital, Afghanistan will find economic roads within the region more sustainable by utilizing its geographic location in larger Asia. Afghanistan should start afresh by bringing a shift in its regional policies, as discussed under the 'Heart of Asia' Conference held on 14 June 2012 in Kabul. It was a follow-up from a high-level Ministerial meeting of the 'Istanbul Process'. The process centers on Afghanistan and provides engagement on result-oriented regional cooperation through connecting Afghanistan with its near and extended neighbours.⁽⁶⁸⁾ There are so many vast opportunities available for Afghanistan and its regional neighbouring countries to be explored and exploited for developing an economic friendly block. All the countries can offer and gain from each country's expertise, resources and markets. Yesterday's geographic liability with visionary economic policies can contribute to the future economic stability of Afghanistan.

Humanitarian transition

While looking at the three primary transitions that Afghanistan is going through, the consequential effects of all three would be on its humanitarian sector. The issue of humanitarian transitional crisis has not received sufficient attention within and outside Afghanistan. A noteworthy number of Afghan citizens are already displaced within Afghanistan due to rising civilian casualties and the spread of insurgent activities across the country. It is presumed that the elected government would also have less capacity to deliver the needs and the security of humanitarian emergency. Furthermore, the commitment of international community and independent organizations has also reduced when it comes to future humanitarian support and protection in Afghanistan. In this backdrop, sustainable solutions for the millions of already displaced Afghans will remain obscure and displacement would grow in number. Since doubts about the capability of Afghan security forces linger on Afghans' mind, they feel determined to stay in the neighbouring countries, like in Pakistan especially. The acceleration of Afghan refugees has already begun since 2013. Individuals associated with ISAF or supportive of government also become targets of insurgent attacks. For their security a number of ISAF mission countries have provided immigration schemes for their Afghan staff. Also an increasing number of Afghan refugees residing in Pakistan and Iran are heading for western countries by seeking asylum. Hence, in the coming years there will be a mix of displaced populace including internally displaced person's (IDPs), refugees, asylum seekers.⁽⁶⁹⁾

Even in situations where cities and districts fall to insurgents, a large bulk of Afghans who support the Afghan government are either left at the mercy of Taliban insurgents or have to move to other secure areas within Afghanistan. Internal displacement for the past many years has become a common survival strategy for Afghans to escape localized violence. But even within the country, these internal migrants go through difficult conditions where they have inadequate food and shelter facilities. The disastrous nature of humanitarian crisis has very serious uncontrolled ramifications for Afghanistan's neighbours especially Pakistan.⁽⁷⁰⁾ It is a national responsibility of the Afghanistan

government to formulate laws and policies for the protection and responsibility of its citizens both within and outside, instead of expecting the neighbours to keep burdening their economy for a lengthy facilitation process of Afghan refugees. So far, however, no concrete steps are being taken by the Afghan government.

Future scenarios in view of the transitional picture

Afghanistan's transitional picture presents a number of future scenarios for the regional policymakers to plan ahead and be prepared for in the limited time available. Although the future situation cannot be predicted accurately because of the complexities attached to Afghanistan and the insurgents' unpredictable moves, certain images do appear in the minds of policymakers; and with each future scenario, regional and international countries will have different implications and policies to respond with. These images include civil war and a coup like situation in the worst case scenario and a gradual path to stability in the best scenario.

Debate over possible post-2014 scenarios is important. Khalid Chandio predicts that the post-2014 Afghanistan could have four scenarios: a maintenance of the status-quo with limited foreign military involvement for the system to survive; a Taliban victory and the disintegration of the ANA resulting in fierce attacks on foreign troops; the emergence of a "New Deal" where all the tribes of Afghanistan will build a consensus on having one Afghanistan including the Taliban or Pashtun, and lastly the eruption of a civil war similar to the post-Soviet chaos in 1988 and subsequent breakdown of government and order.⁽⁷¹⁾

Another analyst, Jaïr van der Lijn, predicts some scenarios of which a significant few are: Afghanistan will be divided into Northern and Southern blocs, with foreign troops leaving for good. The Northern bloc will come under the control of northern alliance rallied behind a weak Pashtun presidential support, whereas dissatisfied Pashtuns due to growing insecurity in South will surrender to the Taliban. The country will end up having a fierce tug of war between the two blocs throughout 2015 and beyond.⁽⁷²⁾

In another scenario, a security transition from the ISAF to the ANSF will succeed as planned but the ANSF will lose more terrain in the rural areas initially. Karzai will manoeuvre another Pashtun to succeed him through elections while Karzai himself will remain active in the background. The new government would be a continuation of the old one, as corrupt as before. The flow of international donor aid and assistance may not be as sufficient as that committed at the Tokyo conference, except for the funding of security forces. Taliban and other militant organizations will be weaker and fragmented while the insurgency becomes more local. Local power brokers with right connections in the power centre of Kabul will dominate locally. By 2017, the ANSF will be better trained with sufficient capacity to operate independently in a majority of areas but still weak to control the country as a whole. Unemployment due to severing economic conditions will put intense social and economic pressures on the political system.⁽⁷³⁾

In the third scenario, Afghanistan's economy would deteriorate, as foreign donors would be less generous than what they had committed in Tokyo conference by blaming Kabul for not fulfilling the conditions agreed upon. Karzai's presence would create mistrust towards the government and he would be seen as a symbol of corruption, directly and indirectly clinging onto power. The Taliban under the traditional Quetta Shura would become more fragmented than ever, fighting over leadership and Mullah Omar losing control of its commandership. Many new power brokers will emerge and fight over their share of the pie. Old and new warlords will control their own militias and fiefdoms and continuously fight over resources, drug and power. The remaining educated and rich class will also flee and Afghanistan will be left with brain drain. The high level of violence would spill into neighbouring countries. Pakistan will be the most affected one with violence and IDPs pouring into its borders.⁽⁷⁴⁾

In fourth scenario, the Quetta Shura and the Taliban both show willingness to engage in direct talks with the new Afghan government viewed as being representative of the Afghan people, unlike Karzai's puppet government. Pakistan, out of fear of instability, would assist in Afghanistan's peace process. The Afghan government relatively becomes strong by 2017, having a balance of all ethnic and tribal representatives out of opposition fears; and lastly, the Taliban would share power in the government of Afghanistan. Afghanistan would in turn tackle spoilers with war interests. Although violence would settle down, yet the guarantee of constitutional human rights, particularly in regard to women, will be sacrificed.⁽⁷⁵⁾

Hence, to conclude the whole future scenario, a lot depends on three crucial factors. Firstly, the political stability of the new Afghan government in post-2014; secondly, the capabilities of the ANSF to resist and counter the Taliban or other militant groups; and thirdly, the future strategies of the US. Put positively, all these factors would work independently as well as support each other in devising a strong, peaceful Afghanistan. For now, the future that awaits post-2014 Afghanistan can be a combination of the above-mentioned predictions. Given the present status of important transitions – political, security and economic – that Afghanistan is going through, the continuity of international financial and military support with the ANSF training will be the backbone for its survival.

The transition phase from the ISAF to the ANSF will not be smooth; but the limited yet strategic placement of foreign troops alongside air strikes and ground combat operations would ensure that the Taliban face a tough battle with the ANSF. The Taliban will not be strong enough to capture Kabul but will keep on creating their usual disturbance. President Ghani has offered peace and flexibility to understand the insurgent's point of view. Two options exist of dealing ultimately with the Taliban: either a tough defeat or a power sharing agreement.

The commitments and interests of the US are crucial. Although Washington keeps highlighting about its global strategic interests in regions other than Afghanistan, one of the biggest embassies out of three has been built

in Kabul. Certainly the US will be staying in Afghanistan for a longer period of time. The al-Qaeda threats are not over yet, and the possibility of an ISIS and Taliban nexus in Afghanistan would be an issue not just for the US but also for Afghanistan and the neighbouring region.⁽⁷⁶⁾

Implications for the neighbours

The anxieties of Afghanistan's post-2014 transition are much higher among the neighbouring countries than what the West feels. If the situation becomes gradually stable, all credit would go to the US and the Western allies. If the situation worsens, which is at present the primary observation, and the West packs up and pulls out, the regional neighbours will be left behind to experience the calamitous spill-over implications. An intense sense of pessimism has engulfed the region and each neighbouring country is trying to find out what will happen in Afghanistan and the region once the drawdown begins.

The regional situation is very complex. Afghans and their neighbours all have so many diverging and competing interests, unsettling alliances, lack of cohesive or interrelated plan for the future that each neighbour is left with nothing but a pessimistic scenario. In general, the concern of the region is that when powerful militaries with so much wealth and resources were unable to change the Afghan situation, how could countries like Pakistan, Iran or the Central Asian Republics do better? Lessons of the Soviets and at present of the US and NATO allies are fresh in the minds of weaker regional states.

Afghanistan's strategic importance might lessen for the US and the West, but it remains crucially important for the regional states that are genuinely concerned about the return of another proxy war. For the time being, regional politics will play a significant role in shaping the internal dynamics of Afghanistan. The main bordering countries of landlocked Afghanistan with considerable concerns and opportunities to preserve their share of interest in the post-2014 Afghanistan are: Pakistan, Iran, China, Uzbekistan, Tajikistan and Turkmenistan.

Pakistan

For the past three decades, Afghanistan is deeply infested with internal and external turmoil and Pakistan has been gravely bearing the brunt. For the US, the war in Afghanistan is coming to a final phase, while for Pakistan a new phase is opening up with a set of overlapping crisis. What lies in Afghanistan's future lacks clarity and essentially needs a cautious approach. Already Pakistan and Afghanistan are at loggerheads due to a number of concerning grey areas. The post-2014 Afghanistan brings huge security challenges for Pakistan, both in the traditional and non-traditional domains. Some of these domains for Pakistani society are the growing trust deficit between the two countries that has created mutual suspicion over each other's commitments towards counter terrorism efforts, peace dialogue with Taliban, cross border infiltration, and uncontrollable refugee invasion.

A root cause of the threatening security crisis between Afghanistan and Pakistan can be traced to an Afghan dispute over the Durand line, an international border between Pakistan and Afghanistan. Due to an unrecognized status within Afghanistan, the border remains porous and unguarded, which should not be the case in such a volatile situation. The unchecked flow of cross border infiltration from Afghanistan into the insecure tribal region of Pakistan, and vice versa, has been a major advantage for militants to have safe havens. In the past, Karzai has accused Pakistan over the safe haven issue; but whenever Islamabad tried to undertake any administrative and security measures to protect the Pakistani side of the border, Afghan officials raised complaints.⁽⁷⁷⁾ Even the international media, which remains critical about the cross border infiltration, has never pressurized Afghan state to resolve the border issue for halting militant activities. According to a report of International Organization for Migration (IOM), a startling 390,000 Afghans passed through a single border crossing on the Pak-Afghan border, in both directions, in a single two-week period in January 2005.⁽⁷⁸⁾ Throughout the last decade, the Afghan intelligence and local officials held Pakistani forces and intelligence responsible for the attacks in southern and eastern areas of Afghanistan without even acknowledging the fact that the insurgents based in the southern and eastern cities of Afghanistan launch missiles on Pakistani posts. Pakistan's protests, however, have fallen to deaf ears.

Pakistan has legitimate security concerns. If Afghanistan goes through a failed security transition, Taliban's resurgence will be stronger than before with no hopes of reviving the peace talks. The Pakistani Taliban might end up building alliances with the Afghan Taliban and Pakistan's security would be equally at a high risk of deteriorating. This compels Pakistan to make sure that the Afghan Taliban does not align with the Pakistani insurgents. Moreover, if the security transition goes as planned where the ANSF fights along with foreign troops' air and ground operations against the insurgents, Pakistan will again be at risk of grave security implications from spill-over of insurgency from Afghanistan. There will be a heavy presence of both Afghan and Pakistani Taliban and other militants in its tribal region; this strength will be a boost for the Pakistani Taliban to fight back the Pakistani army from a stronger position, thereby increasing Pakistan's risk of insecurity.

Pakistan is a weak state with external security risks at both sides of the borders, one with India on the East and the other with Afghanistan on the West. Unfortunately Pakistan is sandwiched between the alliance of its two neighbours. Pakistan's anxiety over harmonious ties between India and Afghanistan had been exploited to its fullest by Karzai. Pakistan worries about the antagonistic policies of the new Afghan president; would it be a pro-Indian tilt once again like his predecessor or mature act of balancing ties? Or will Karzai continue to demoralize Pakistan through his rhetoric while Ghani puts up a good neighbourly act? So far, the recent visit of President Ghani to Islamabad was received as an optimistic wave of beginning a new era between the two countries. Ghani showed determination to end the hostilities and instead placed emphasis on efforts on mutual constructive engagements of trade and people-to-

people connectivity in resolving counter-terrorism and strategic issues.⁽⁷⁹⁾ But then again, for how long will Ghani put up with this good act? If Pakistan fails to meet Ghani's expectations, then he like Karzai may also use Pakistan as a scapegoat.

However, with foreign assistance and strategic partnership between India and Afghanistan, and India's Northern Alliance in power, it is not certain how India will roll out its policies in future. But for sure, it will provide a tough competition to Pakistan, possibly by collaborating with other regional countries like Iran and the Central Asian Republics to block out resources for Pakistan. India is already tacitly partnering with Iran to corner Pakistan by constructing roads to connect the Iranian port of Chahbahar to Afghanistan. Also it has made an attempt to get to Central Asian resource markets without going through Pakistan, limiting Pakistan's opportunities for market access on its way.⁽⁸⁰⁾ Hence, Islamabad is occupied enough with insurgency at home in FATA and it cannot afford an allied regime in Kabul with India and Iran against Pakistan.

Pakistan's military is in the midst of operation *Zarb-e-Azb* against the Pakistani Taliban and allied Islamist fighters in its volatile North Waziristan region to clear the region of all insurgents. However, whether or not the insurgents include the Afghan Taliban, i.e. the Haqqani network, is debatable. Karzai had been supporting prominent Pakistani Taliban commanders Latifullah Mehsud and Fazlullah. Karzai's schemes of destabilizing Pakistan through RAW and his anti-Pakistan approach were exposed through Wikileaks papers.⁽⁸¹⁾ The Afghan Taliban had also been regularly sheltering and funding the Pakistani Taliban. Mullah Fazlullah, a Pakistani Taliban leader, who launched Swat offensive in 2009 was given sanctuary in the Kunar province of Afghanistan.⁽⁸²⁾ The fragile state of Pakistan fears two civil wars in such a situation if it cracks down on Afghan Taliban's safe havens conceivably an only viable option in the absence of proper border security for Pakistan to counter Indo-Afghan alliance against its security. This is an important reason why Pakistan is taking cautious approach regarding actions against the Afghan Taliban.⁽⁸³⁾

There had always been an environment of mistrust between Pakistan and Afghanistan. But during the last decade, Karzai not only fractured bilateral ties by propagating against Pakistan at home and abroad, but he was also adamant for the US to attack Pakistan through introducing an Afghan protection policy in the BSA.⁽⁸⁴⁾ He had also been responsible for instigating anti-Pakistan sentiments among Afghans. The human cost that Pakistan has paid through civilian casualties is about 19,702, and 6,003 military casualties as of November 2014⁽⁸⁵⁾ and about \$29 billion had been lost in the three years through June 2014, whereas \$232 billion of economy has lost \$102 billion since the 2001 US war in Afghanistan began.⁽⁸⁶⁾ Instead of any genuine acknowledgement and respect by Afghan officials, a level of furious accusations and criticisms about Pakistan's commitment against fighting counter-terrorism had been raised. Offended sentiments vis-à-vis the Afghan approach still prevails in Pakistan.

Another challenging burden on Pakistan's economy and scarce resources in the wake of post-2014 is the increasing presence of the world's largest refugee population coming from Afghanistan into Pakistan. Pakistan is

already sheltering about three million registered and undocumented Afghan refugees. The people of Pakistan especially of Khyber Pakhtunkhwa province had badly suffered due to these refugees for the last many decades since the Soviet invasion. People are not ready to tolerate more of them. The refugee stay date decided by the Pakistani government will expire by December 2015. Despite a firm decision of not welcoming more refugees in Pakistan, the Afghan refugee invasion would be further uncontrollable and untraceable if Afghanistan becomes more unstable.⁽⁸⁷⁾ At times many insurgents enter in Pakistan by disguising themselves as refugees. They settle down cautiously in the urban and ungoverned tribal areas of Pakistan, causing security threats to the locals. Hence, the past influx had brought violence and intolerance into Pakistani urban areas and with the new influx beginning in 2013, the domestic situation is likely to be apprehensive.

For the new president, a softening and cooperative stance towards Pakistan would essentially be a hopeful sign to bridge the gaps of mistrust so that both the countries can jointly work against the spread of insurgency. So far President Ghani has expressed willingness to open dialogue with the Taliban with Pakistan's assistance. Although it is highly misperceived in Afghanistan that Pakistan has leverage over the Taliban. In actuality, the Taliban only listen to their own interests. Still Pakistan has been supporting Afghan-led and Afghan-owned peace process. To facilitate the process, Islamabad has released Afghan prisoners in its custody as well. Pakistan has also suggested holding a broad-based 'all-inclusive intra-Afghan dialogue' in Qatar where all the Afghan insurgent factions including the Haqqani network are also invited to negotiate the future peace settlement.⁽⁸⁸⁾

For future options, Pakistan can initiate a multi-tier approach with the new Afghan president at the bilateral and international levels by supporting certain policy initiatives. Key initiatives can be as follows: a direly needed Strategic Security Agreement between Pakistan and Afghanistan like the one Kabul has signed with India, China and Iran; bilateral confidence-building measures between Afghanistan and Pakistan; a mutual counter-terrorism policy to counter the growing strength of Taliban and other insurgents; the settlement of the Durand Line issue to control cross-border infiltration and target sanctuaries of insurgents on both sides of border; the settlement of water-sharing arrangements and treaties and the construction of dams for water storage to avert future tussle. Pakistan relies on water flowing from Afghanistan's Kabul River which is predicted to be considerably depleted by 2026;⁽⁸⁹⁾ a regional peace treaty with the assistance of US by which a regional non-interference status is declared; facilitation of an Afghan-led and Afghan-owned peace and reconciliation process when asked by Afghanistan; engaging Afghan Businessmen with Pakistani businessmen by holding extensive meetings for assisting each other economically similar to parliamentary engagements at higher level; engaging people-to-people links to dispel doubts and anti-Pakistan sentiments among Afghans.

In short, Pakistan must emphasize on building a friendly Afghanistan than a friendly government in Kabul. Letting the Afghans decide their future, Pakistan should support and facilitate them.

Iran

The defeat of the Taliban created a favourable environment for the Iranian government to influence the new political developments in Afghanistan. James Dobbins, the US special envoy for Afghanistan in 2001, revealed at the Bonn Conference that it was Iran who suggested that Hamid Karzai should lead Afghanistan. Iran supported a multi-ethnic, sectarian Islamic Afghan government comprised of mujahedeen leaders headed by a Pashtun leader.⁽⁹⁰⁾ Interestingly, the present Unity Government in Afghanistan is somewhat similarly based on multi-ethnic representation headed by a Pashtun leader. The present political environment also goes in Iran's favour.

Iran has multiple interests in Afghanistan and safeguarding them is one of Iran's biggest concerns. The mutual ethno-cultural linkages shared by Iran and Afghanistan are important as they ensure Iranian influence in the country. It is in Iranian interest to secure its economic jurisdiction through accessing Afghanistan's transit route across Asia, from Persian Gulf to Central Asia and China. Afghanistan is also vital to Iran's political-security national interests that are threatened by the rising terrorist and extremist spread from Afghanistan into neighbouring regional countries.⁽⁹¹⁾

Since the ousting of the Taliban, Iran has pursued a two pronged policy in Afghanistan: first, to preserve Afghanistan's stability and support Afghan democratic central government; and second, to oppose the presence of foreign forces especially the US in Afghanistan.⁽⁹²⁾ It is perceived that if the situation remains stable in post-2014 Afghanistan, Iran would continue to pursue these interests. Any instability caused by an Afghan weak state would not only spread terrorism, extremism, drug trafficking and displaced Afghans but also pose political-security threats to Iran's national interests. Iran seeks to preserve stability at its eastern border from threats, which is why it has focused on a developmental approach in the eastern parts of Afghanistan. The geographical regions that come under Iranian spheres of influence have been a focus of economic development. Iran has committed \$560 million in economic assistance to Afghanistan from 2002 to 2007. From 2007 to 2013, Tehran has mainly focused on the completion of those existing projects. The economic strategy employed in the western Herat province of Afghanistan was two-fold: to keep Iran's own economic conditions thriving that are under constant sanctions by the West through trade and transit; and to consolidate its political and strategic hegemony in the country.⁽⁹³⁾

Another reason for upholding stability and economic assistance to Afghanistan was to pullout the country from its constant dependent behaviour on foreign aid. Iranian perception is that a weak Afghanistan dependent on US financial and security assistance will make it submissive to US demands in dealing with various crucial matters that may sabotage Iran's national interests in Afghanistan. Tehran feels direct threats to its national security from the

foreign military bases and the presence of troops especially of the US and Britain in Afghanistan. Hence, the Iranian pressures began on Afghanistan to take the lead in its country's security and ask for a withdrawal timetable of foreign forces. Moreover, Iranian political and financial influence persuaded Karzai not to sign the strategic security pact of the BSA with the US.⁽⁹⁴⁾

Tehran opposes the presence of foreign troops due to three main concerns. First, it believes that foreign forces, especially that of the US nurture the spread of extremism in Afghanistan. Taliban's resistance of US troops ends up expanding terrorist activities. Second, Iran wants to contain the US threat. Tehran perceives the presence of the US troops in Afghanistan as an opportunity for the US to expand its strategic position in the broader region of South Asia, Central Asia and Persian Gulf at the expense of Iran's national security interests. Third, Iran aspires to preserve Afghanistan's neutrality. Tehran opposes its border in neighbours like Afghanistan in establishing political security pacts with trans-regional actors.⁽⁹⁵⁾

To preserve its interests especially against the US, Iran can also act as a spoiler via its long nurtured networks. In the future, if the US puts more sanctions on Iran, then it won't be surprising to see numerous networks of hardliners in Afghanistan voicing their support for Iran. Since the 80s, Iran has supported a myriad of warlords, well-established proxies beyond ethnic, sectarian and political lines as an insurance policy to be used when required even if civil war breaks out. While forging its relations with the Afghan government and supporting the peace process, Iran can pursue a more destabilizing and disruptive strategy against the US interests. Like in 2010, Iran banned the export of fuel to Afghanistan as a pressure tactic on Karzai against the US pressures on Iran to freeze its nuclear programme. Hence, Karzai distanced himself from the US and called for NATO forces withdrawal to please Iran.⁽⁹⁶⁾

The only tolerating factor for Tehran towards foreign presence in Afghanistan is a flaring hypothesis that Afghanistan will fall back into a civil war as it had after the Soviet withdrawal. The Iranian government's endorsement of the peace process since 2010, despite its traditional hardliner stance towards Taliban, was also due to the rising Taliban threats in the region. This even led to three visits of the Taliban delegation to Tehran in March 2011 and June 2013. Engagement with the Taliban demonstrated Tehran's ambition to be a prominent mediating actor in not only any future challenging peace settlement but also in the 2014 transitional phase.

The changing political realities in Afghanistan led Iran to open up to accepting Taliban in the future political framework, but not in a dominating position. Any future role of the Taliban in Afghan politics will be suspiciously monitored by Tehran. Besides Taliban's resurgence, Iran is wary of an alliance between the insurgents and Iran-based terrorist groups to act against Tehran's national security interests. Therefore, Iran has been supporting its preferred Taliban group to consolidate influence in case they come in power. However, in case the situation after the transition becomes uncontrollable, then Iran might choose its traditional allies, i.e. the Northern Alliance.⁽⁹⁷⁾

The transitional phase of Afghanistan will push more Afghans into Iran. Iranian economy under international sanctions will come under more burden by additional refugees. Iran will take firm measures to minimize the refugee acceleration. In 2012, Tehran had ended the registration period of Comprehensive Regularization Plan (CRP), which allowed Afghans to legalize their status. But only some 800,000 out of about 3 million Afghans in Iran are recognized refugees.⁽⁹⁸⁾ The insecurity would further escalate the drug trade. As of now, almost 80 percent of Afghans cross border into Iran through the mediation of smugglers. Worsening security situation could lead to further economic migration especially if Afghanistan fails to provide adequate employment opportunities.⁽⁹⁹⁾

Iran at present is carefully observing the US and NATO plans in Afghanistan before it can make a policy for post-2014 situation. The post-transition Iranian foreign policy will have two themes: 'cooperation' and 'rivalry,' driven by imminent factors and with local proxies and players like the Taliban, as well as with regional and external players like the US. Important driving factors would be a small presence of the US forces strategically placed in Afghanistan; continuous threats emerging from an aggressive insurgent fighting that would continue to generate instability in Afghanistan and along its near borders; possibilities of reintegrating Taliban in the future Afghan political setup through peace process; the maintenance of its political and strategic influence through economic soft power; the thriving of drug industry and hampering of Iranian interests; and the continuation of refugee influx in the wake of Afghan insecurity into Iran.

The more Iran will become isolated in the world through sanctions initiated by the US in the future, the more it will rely on its ethnic and economic hegemony in Afghanistan to keep its regional connections alive. Iran has been aiding and supporting the Shia Hazara minority in the western parts of Afghanistan. Herat comes under the regional integration strategy of Iran.

Iran has broader economic interests in Afghanistan and Central Asia that it desires to achieve through linking the region. Afghanistan has been pivotal to the 'Look-East' grand strategy of Iran. Tehran's regional vision aims at increasing transit trade through its Chahbahar port in the Southeast, with the participation of Afghanistan and India. Tehran is already constructing road and rail links through parts of Afghanistan to enter into Turkmenistan.⁽¹⁰⁰⁾

A weak government in Kabul after 2014 would be beneficial not only for Taliban insurgents but would also allow Saudi Arabia and Pakistan to play a pivotal role. To counter Saudi and Pakistani proxy interests, Iran would indulge in securing cordial relations with as many Afghan factions — from the Central government to Hazaras, Uzbeks and Tajiks — as possible. So far the Bilateral Strategic Security Agreement signed between Tehran and Kabul positions Iran at a dominating position in the future to have closer cooperation in security, intelligence and economics, as compared to other mutual regional allies.⁽¹⁰¹⁾

China

China has pursued a very clear, prudent and articulated foreign policy towards Afghanistan. China, as Afghanistan's regional neighbour, strategic partner and one of the largest foreign investors, has always kept a low profile in Afghanistan as compared to other regional neighbours. During the past three decades — when Afghanistan was under the Soviet influence, then engulfed in civil war, overtaken by the Taliban and then monopolized by the US — China cautiously restricted itself to a secondary position. Presently, however, the international community and the Afghan government expect China to assume a larger active role in future Afghan affairs.⁽¹⁰²⁾

Unlike the West, China has limited goals in Afghanistan. Beijing had no interests in rebuilding the political system of Afghanistan, or directing their domestic affairs like social patterns and ideological orientations. However, since the official visit of the Chinese Security Chief Zhou Yongkang to Kabul in 2012, China has signalled to be more active in Afghanistan. Previously, Afghanistan was only viewed as an external instability threat but now the country has become an internal instability risk as well for China. Beijing has two major concerns attached with Afghanistan: 1) security, an interest and a core concern; 2) exploitation of investment opportunities.⁽¹⁰³⁾

China's diplomacy of becoming more active in the future affairs of Afghanistan has been motivated by its own stability and security concerns rising from Uighurs in its Xinjiang province. Afghanistan's security turmoil has strongly influenced the Uighur militants and their East Turkistan movement in terrorism and separatist goals in Xinjiang. The Uighur militants are closely connected with Taliban and al-Qaeda since the fight against the Soviets. Later under Taliban, Afghanistan became a reliable base for supplying weapons, training camps and sheltering militant organization.⁽¹⁰⁴⁾ With the announcement of the US drawdown and no hopes of stability coming to Afghanistan after a decade of foreign presence there, China has decided to take the matters in its own hands. If the post-drawdown situation deteriorates, the insecurity in Afghanistan will inevitably spill-over to China. Hence, without resolving the security issue in Afghanistan, China cannot guarantee its own security.

China and Afghanistan signed a strategic and cooperative partnership on 8 June 2012, by which they agreed “not to allow their respective territory to be used for any activities targeted against the other side.” With this cooperation pact, China hopes to combat “three evil forces”, i.e. ethnic separatism, religious extremism, and terrorism, and is committed to “take tangible measures to enhance the security of Chinese institutions and the people in Afghanistan.”⁽¹⁰⁵⁾ During the visit of Zhou Yongkang on 22 September 2012, agreements were signed with the Afghan government on intelligence sharing and on the training of 300 Afghan policemen⁽¹⁰⁶⁾ and officers in China. Beijing, so far, restrains itself from getting involved in the Afghan military training and even the possibility of sending its troops to Afghanistan has been rejected. Beijing will still continue to be cautious regarding its' military involvement and leave the matter to foreign troops beyond 2014 as decided. Probably for now, it is a realistic approach of keeping its men and resources out of risk. China refused to

join the Northern Distribution Network (NDN), which was also established to transfer non lethal goods to the US and the ISAF troops in Afghanistan.⁽¹⁰⁷⁾

Through this cautious approach, China also wants to maintain a safe distance from the American campaign in Afghanistan. Moreover, Beijing does not want to infuriate the Taliban so it keeps minimum direct contact with them and this explains its low-profile approach. Beijing has never sympathized with Taliban and has officially supported the operations against al-Qaeda and the Taliban in Afghanistan. At the same time, it has also never publicly condemned the Taliban, probably as a diplomatic gesture of non-interference. China is aware that the Taliban today are not just an extremist religious group but also a political force that might become a part of Afghan's political arena if the reconciliation policy turns out effective. Or in the other possible scenario, Taliban might appear as a dominating force leading the country into another civil debacle. Hence, in both scenarios, China wants no contact between the Taliban and the East Turkistan militants to avoid detrimental consequences.⁽¹⁰⁸⁾

To prevent a Uighur safe haven in Afghanistan, Beijing had pursued engagement and negotiation option with Taliban in the past. China directly contacted Taliban leader Mullah Omar to seek his assurance for not harbouring Uighur militants attacking Xinjiang in areas controlled by them and to prevent militant attacks from there against China and its nationals in Afghanistan. Although the negotiations were unsuccessful, Beijing still quietly maintained contacts with the Quetta Shura after 9/11 attacks with the help of Pakistan.⁽¹⁰⁹⁾ To seek a secure Afghanistan, Chinese government agrees and supports the national reconciliation peace process as the right path to a secure and stable Afghanistan. While China has limited itself to diplomacy, it has resorted to make use of Shanghai Cooperation Organization (SCO) for mustering regional approach on matters of security and stability. China has even started dialogues on regional reconciliation in forums such as the Heart of Asia 2014 conference. But Beijing has clearly laid out to all countries that it is supportive of a settlement where the Taliban can become a part of the political system, but it is against a Taliban government in Afghanistan.⁽¹¹⁰⁾

Afghanistan today offers potential benefits and influential opportunities to China. Previously due to Xinjiang disturbances, Chinese economic concentration had been on its eastern coastal region. But lately Beijing has turned its attention towards filling the economic disparity gaps in the western region with a "go-west" strategy. Between 2002 and 2010, Chinese aid to Afghanistan was about \$205 million.⁽¹¹¹⁾ But while meeting with Karzai this year in Shanghai for the Conference on Interactions and Confidence Building Measures in Asia (CICA), Chinese President Xi Jinping assured to increase cooperation with Afghanistan and work with Afghanistan on the construction of Silk Road Economic Belt, an ambitious vision of linking China to Europe via Central Asia and the Middle East.⁽¹¹²⁾

The first official visit made by the new Afghan President was to China, which turned out to be a success with Chinese pledge to provide 2 billion yuan (\$330 million) in grant to Afghanistan through 2017, besides signing four other agreements on economic and technical cooperation.⁽¹¹³⁾ During the fourth

ministerial conference of Istanbul process held lately in Beijing on 1 November 2014, China offered non-reimbursable assistance of 500 million yuan (about \$81.43 million) and another non-reimbursable assistance of 1.5 billion yuan (about \$244 million) for over three years to Afghanistan to help train 3,000 people of all circles in the upcoming five years with 500 scholarships.⁽¹¹⁴⁾

China has already marked its presence among the biggest investors in Afghanistan by winning the rights to Aynak copper mine project in 2008. In 2011, China secured an energy deal when China National Petroleum Corporation signed a \$600 million contract to invest in developing three oil blocks in the Amu Darya basin.⁽¹¹⁵⁾ Unfortunately, due to regular rocket fires in the Aynak area, Chinese workers had no choice but to evacuate. While the oil project at Amu Darya also faced disruption by militias affiliated with Rashid Dostum. China strikes a deal with Dostum to resolve the conflict to stop his men from interfering with the project. China had been willing to bargain with troublesome actors to guarantee the security of its projects.⁽¹¹⁶⁾ Beijing even tried to negotiate with Taliban to prevent attacks on its nationals working on projects in Afghanistan. Taliban spokesman Zabihullah Mujahid said that Chinese companies would have to acquire permission from Taliban for their project, then “their lives might be spared.”⁽¹¹⁷⁾

In the economic investment sector, China is also in competition with India in Afghanistan over resources. Both China and India prefer to have a stable environment in Afghanistan to exploit maximum resources at their disposal. For Pakistan, a strong Chinese presence alleviates its fears of being encircled. While an India, Iran and Afghanistan nexus would isolate Pakistan in the region, China would balance regional tensions by holding trilateral dialogues between Afghanistan and Pakistan.⁽¹¹⁸⁾

Hence, Beijing’s initial strategy for 2014 is well-established in terms of courting an active economic partner in Afghanistan, enhancing international cooperation and encouraging peace through political reconciliation. But limits to its diplomacy will be tested if the situation worsens. To reduce security threats, Beijing will attempt to stabilize Afghanistan or will prevent further deterioration of Afghan security; or if it cannot stabilize and secure Afghanistan, it will limit the spread of instability and the direct threat to Xinjiang with the help of its regional ally Pakistan.⁽¹¹⁹⁾

Central Asian Republics

Three of the Central Asian Republics (CARs) – Turkmenistan, Uzbekistan and Tajikistan – share porous borders with Afghanistan. All three states also share centuries old ethnic kinships in Afghanistan. Tajiks and Uzbeks are the second and third largest ethnic groups in Afghanistan. These ethnic groups along with the Hazara Shia and Turkmens have ties with Central Asian Republics. Tajikistan and Afghanistan also have political complexities. The multiple connections were developed during the 1992-97 civil war in Tajikistan. These Central Asian Republics were the principal external supporters of military leaders like Tajik Ahmad Shah Massoud, the anti-Taliban Northern Alliance leader who became a buffer between Central Asians and Taliban and leader of

Uzbek community in Afghanistan, and Gen. Rashid Dostum, who is currently serving as the Vice-President of Afghanistan.⁽¹²⁰⁾ With the Pashtun-Tajik-Uzbek alliance-based Unity Government in power, the Central Asian Republics would hopefully have a friendly neighbourhood, politically.

Since the collapse of the Soviet, the CARs had been left with porous borders and weak security structures to handle on their own. Threats perceived by these states depend on the level of each state's exposure and vulnerability to security challenges coming from Afghanistan. Out of three, Tajikistan is the most exposed one while Uzbekistan has considerable border protection capacities. Turkmenistan, due to its neutral status, always felt less vulnerable to border spill-over threats but lately its situation has also changed.

In the aftermath of 9/11, the CARs eagerly agreed to assist the US-led War on Terrorism and later the NATO-led ISAF operations in Afghanistan. The suppression of Islamic extremism has been supported by the Central Asian Republics. For the US and the NATO countries, Islamic extremism is the only major threat emerging in post-2014 but for the neighbouring Central Asian Republics other interests are at stake as well. The key security risks for the CARs would be: threats of terrorism and insurgency, the political radicalization of their people, the spread of drug trafficking and of organized crime of arms and weaponry.⁽¹²¹⁾

Tajikistan and Uzbekistan had been under insurgency threats from Afghanistan since their independence in the early 90s. The United Tajik Opposition (UTO), an anti-government force in the 1992-97 civil wars in Tajikistan, comprised of Islamists and anti-Soviet democrats operated from and found sanctuary in Afghanistan. Even in 2010, a noteworthy rise in deadly clashes in Tajikistan between government forces and insurgents occurred. One of the incidents resulted in the killing of 28 Tajik soldiers by al-Qaeda linked group near the border with Afghanistan. The Islamist extremists also plotted unrest and an overthrow of government. Uzbekistan is vulnerable to threats from the insurgent group, the Islamic Movement of Uzbekistan (IMU) that operates with impunity from the Afghan soil. IMU seeks to establish a caliphate across Central Asia and launched two major attacks in 1999 and in 2000. As an ally of Taliban, the IMU also came under US-led attacks in Afghanistan. However, it reconstituted itself in the North Waziristan region of Pakistan and forged links with groups like the Haqqani Network. Since 2008, IMU has consolidated its existence in the northern parts of Afghanistan to launch renewed attacks on Uzbekistan once the ISAF departs.⁽¹²²⁾

The growing cross-border armed infiltration and insurgency instigating from safe haven bases in Afghanistan would set a precedent for dangerous political instability in Central Asia. Despite the effectiveness of the ANSF, there is little confidence among the Central Asian Republics in their capacity to take the fight with Taliban independently once the foreign troops depart. Hence, it won't be surprising to see the Central Asian Republics backing the US-ANSF forces carrying out combat operations against the insurgents. For Tajikistan, Russia provides security through the Collective Security Treaty Organization

(CSTO) but it cannot become an inclusive multilateral organization as the other two neighbours Uzbekistan and Turkmenistan are not its members.⁽¹²³⁾

The bordering neighbours of Afghanistan in Central Asia are exposed to societal threats emanating from Afghanistan similar to the potential radicalized elements these states had been dealing with for the past decades. Tajikistan and Uzbekistan, in particular, have suffered from militant attempts to penetrate into their individual territories. The Central Asian Republics fear that the Afghan government influenced by Taliban would maximize their power and support for the creation of networks and training camps, and support bases to nurture Central Asian Islamic fundamentalists near the border. The governments of these states are committed to preserving their secular state identities. This is one of the significant reasons behind their opposition or inactive role in Afghanistan's reconciliatory efforts, fearing that the states would become more Islamic in character.

The key question is whether Taliban would agree to resume the peace process or not; or if they agree, then which group would take the lead, Mullah Omar's Quetta Shura, Haqqani Network or Hekmatyar's Hezb-i-Islami. There appear three scenarios for the states to consider. The best scenario is where at least one segment of the insurgent movement opts for dialogue and joins the Afghan government through the reconciliation process. The success of one segment would act as a domino factor and others would also embrace peace eventually. In such a case, the expediency of regional economies and pending development projects would be beneficial for the Central Asian Republics. The second scenario might involve a status-quo, where the Afghan government, Taliban and other insurgent factions would continue fighting. This would leave no choice for the Central Asian Republics but to take their own security measures for protecting their territories and people from radicalization. The third and worst scenario would be a strong and fierce resurgence of Taliban bringing Afghanistan to the brink of civil war compelling even the foreign forces to leave the country.⁽¹²⁴⁾ This kind of situation would compel the Central Asian Republics to close down their borders with the help of Russia and China.

The Tajik-Afghan border has become a preferred route for narcotics and drug traffickers. The traffickers smuggle Afghan heroin through Tajikistan and Central Asia before connecting with Russian, European and Chinese markets, hence, fuelling widespread corruption. According to the UN Office on Drugs and Crime (UNODC), every year around 90 tonnes of heroin are produced in Afghanistan and transported through Central Asia. In the case of a civil war in Afghanistan, drug trade would be the insurgent's most preferred source of income.⁽¹²⁵⁾

The withdrawal of the US-led NATO-ISAF mission will hamper the lucrative multi-vector strategy in foreign policy that opened up political and economic avenues for them outside their periphery. In contrast to Russia and China, the CARs had welcomed the US and the NATO in the region not just out of security concerns but for also providing them with increasing bargaining power with Moscow and Beijing, and with the US and the NATO countries in the form of transit fees and infrastructural assistance. Given their geo-strategic

location, these three states have exploited the external player's competition by enhancing their profitable economic, energy and military cooperation with foreign forces.

First of all, the presence of the ISAF took away threats of the Taliban and the associated regional terrorist groups like IMU from the region even though the ISAF did not directly confront with IMU and drug trafficking. ISAF presence also protected the secular identities of the Central Asian Republics, restraining the rise of Political Islam in the respective countries. The CARs have also benefited from the long desired legitimacy and financial support from ISAF.⁽¹²⁶⁾

Uzbekistan was the first country to offer the use of military facilities as part of the Northern Distribution Network (NDN), which later became a transit hub for foreign troops. The US even agreed to pay more transit fees in times of crisis. Turkmenistan also opened some roads and airfields to foreign troops for delivering non-lethal supplies. The leasing of bases was financially beneficial, it gave them bargaining edge; for instance, when Uzbekistan was under EU sanctions, the German government paid 67.9 million euro for the use of Tarmiz airbase; France granted low-interest long-term loan of 20 million euro to Tajikistan for building a new airport terminal at Dushanbe.⁽¹²⁷⁾

Although once beneficial, it is feared that the NDN opportunities could become an excuse in the hands of terrorist groups for launching attacks on the Central Asian Republics. The NDN carried 3-4 percent non-lethal supplies for the US and NATO forces. The NDN remained vital when ISAF's routes to Afghanistan through Pakistan were blocked.⁽¹²⁸⁾ By mid-2013, the Central Asian route was serving as a means for carrying out 80 percent of the sustainable operations in Afghanistan.⁽¹²⁹⁾

Possible economic interests for the CARs face security risks. Soviet economic planning had focused mainly on the northern parts of region that linked with Russia. Therefore, Turkmenistan, Uzbekistan and Tajikistan lack the desired infrastructure. These landlocked neighbouring countries have numerous resources waiting for larger markets within and outside the region. Tajikistan wants to end its transportation isolation while Uzbekistan managed to grasp certain strategic opportunities that it fears might be affected. The potential of oil and gas energy resources within the Central Asian Republics has attracted attention from all over the neighbouring regions. Yet unless the security and insurgency threats in Afghanistan are not resolved to provide a secure transit route, all future regional economic prospects are illusionary. For instance the most awaited high-profile project of Turkmenistan-Afghanistan-Pakistan-India (TAPI) gas pipeline, a project to connect Central Asia via Afghanistan to South Asia; the Central Asia-South Asia electricity grid (CASA-1000) which envisages the export of electricity from Tajikistan to Afghanistan and Pakistan; and the Turkmenistan-Afghanistan-Pakistan railway project. All of them, in tandem, stand hindered by Afghan instability.⁽¹³⁰⁾

The CARs had proposed certain regional initiatives to achieve a regional security solution by deeply involving the other regional states in the decision process. In 2008, Uzbekistan proposed a '6+3 Contact Group for

Afghanistan,' under the auspices of the UN. The group included Afghanistan's neighbours, China, Pakistan, Iran, Tajikistan, Turkmenistan, Uzbekistan, Russia as well as the US and the NATO. It aims at resolving ethnic and religious factions involved in the conflict with Afghan government and reviving economic initiatives. Tajikistan proposed an initiative referred as the 'Dushanbe Four' in 2009, comprising of Russia, Afghanistan, Pakistan and Tajikistan to have a quadrilateral cooperation for resolving security and economic issues. In 2010, Turkmenistan proposed to assist, under the UN auspices, an international high-level meeting on 'Confidence Building in Afghanistan'.⁽¹³¹⁾

Unfortunately the absence of a desired international support and the lack of resources to support the initiatives have marred the success of regional efforts. These Central Asian Republics have political limitations in developing a regional course of solutions on their own in Afghanistan.

Conclusion

After a decade of US-NATO presence, Afghanistan is still at the brink of deterioration. Insurgency is still thriving, economy is still sinking, and security is still descending. The inheritance that welcomes Ghani is full of internal and external challenges. Afghanistan today is more complex and vulnerable to disintegration than what Karzai had inherited. Karzai had full support of the international community with extensive assistance and finances for the Afghans, all of which pales in comparison to that available to Ghani. For a sustainable transition and stable future, besides security assurances, one biggest task for the Afghan government would be to fight against the economy of corruption. So far the gains made in the social sector are not likely to be stable if no guarantees of a functional state are there. A peace process with or without outside support requires persistence efforts to ensure stability at home and in the region.

Success of the Afghanistan's Unity Government will be determined by six critical factors: political transition and necessary implementation of reforms; the readiness and capabilities of the Afghan National Security Forces; economic growth and necessary reforms; continuation of international financial assistance; regional diplomacy and foreign policy shifts; last but not the least, persistent headway into the much needed peace process. The transition from "their supervision" to "our supervision" with a new series of command and operational strategies, skills and fund management would be tough to deal with in a short span of time.

Afghanistan's geography can serve as a central point of connection for the neighbouring regions. A regional peace treaty is needed. Afghanistan has for decades been a theatre of war, caught in the rivalry between various external powers. The United States, Russia, China, India, Iran, Pakistan and the Central Asian Republics have different and often conflicting interests in Afghanistan. All the regional neighbours are more focused on creating their own hub of influence and interest-based regional networks against each country within the region. If not the Taliban, then regional divergence of interests' schemes would make Afghanistan another battleground in the region. If the US leaves behind a

messy Afghanistan, Pakistan will get destabilized, ultimately leading to the destabilization of the whole region.

For all their proclamations, all the regional neighbours of Afghanistan recognize the consequences of the US drawdown from Afghanistan. An early departure will leave behind a power vacuum ready to be filled by the insurgents that the ANSF won't be able to handle. Moreover, the regional powers would not remain idle; they will have an opportunity to intervene, leading to another new series of proxy and civil wars. The prospects of a peaceful and stable Afghanistan beyond 2014 are limited. Afghanistan will continue to remain a security risk for itself, for the West, and for the region. One withdrawal legacy that the Super Power could leave this time would be a regional pact of non-interference between the neighbours. This might help in containing the already muddled situation in Afghanistan and the region. To conclude, Afghan's national security and state rebuilding requires singular attention by the international community and regional neighbours in the limited timeframe that is still available.

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PAK-CHINA ECONOMIC CORRIDOR: THE HOPES AND REALITY

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Introduction

Regional connectivity is an important element of the recently unveiled Vision 2025 of the Government of Pakistan.⁽¹⁾ The Pak-China Economic Corridor (PCEC) is mentioned as an integral element in realizing the potential of regional connectivity and trade with the South Asian Association for Regional Cooperation (SAARC), the Association of South East Asian Nations (ASEAN), the Central Asia Regional Economic Cooperation (CAREC), and the Economic Cooperation Organization (ECO).⁽²⁾

On his part, Chinese President Xi Jinping also proposed forging “China-Pakistan Community of Shared Destiny” during his meeting with President of Pakistan Mamnoon Hussain on February 19, 2014.⁽³⁾ According to Chinese analysts, the Pak-China Economic Corridor (PCEC) serves as the backbone of President Xi’s proposal.⁽⁴⁾ President Xi’s foreign policy concept of “Community of Shared Destiny” is predicated on cooperation for mutual benefit with certain key characteristics; the most important one being the pursuit of common of interests through mutually beneficial partnerships. Another important aspect of the concept is that it embraces incongruence of interests but calls for strengthening of trust among nations through mutual understanding.⁽⁵⁾ China’s peripheral or neighbourhood diplomacy, as explained by President Xi Jinping at the Conference on ‘Diplomatic Work with Neighbouring Countries’ in Beijing in October 2013, is based on four principles: amity, sincerity, benefit, and inclusiveness.⁽⁶⁾

A major milestone for establishing the “China-Pakistan Community of Shared Destiny” was achieved in May 2013 when an agreement was signed to establish the Pakistan China Economic Corridor (PCEC) to connect Pakistan’s Gwadar Port with Kashgar in the western part of China close to Pakistan’s

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border.⁽⁷⁾ China is developing a Special Economic Zone (SEZ) in Kashgar, which would mean rapid development of the area requiring substantial external resources from or through Pakistan — utilizing the developing port city of Gwadar. Pakistan's Gwadar Port provides this less-developed western part of China an easy access to the warm waters of the Arabian Sea and considerably reduces the time and resources required for transporting trade goods to and from western China and West Asia.⁽⁸⁾ It is argued that the development of the PCEC would bring unprecedented economic rewards for Pakistan as well.

Questions regarding the on-ground pace of development and the contours of the PCEC after its completion are essential. Answers to these questions would determine how effective the PCEC could be in furthering the economic objectives that it aspires to achieve and in supporting the economies of Pakistan and China in the long run through Pak-China and regional connectivity as envisioned in the Vision 2025 document. This paper attempts to answer these important questions, especially whether the short-term or early harvest projects are on schedule or not, because progress on the short-term project would serve as a barometer for the timeline for the long-term ones. Additionally, the paper also critically analyzes the dividends that the PCEC is expected to bring to the country.

Community of shared destiny: High hopes

In his speech at the Opening Ceremony of the Think Tank seminar on “Building ‘China-Pakistan Community of Shared Destiny’ in the New Era” on August 5-6, 2014, China's Ambassador to Pakistan Sun Weidong made his government's commitments with respect to Pak-China relations amply clear. He said:

China hopes that Pakistan plays a greater constructive role in regional and international affairs. We would like to work with Pakistan to safeguard peace, stability, development and prosperity in the world... We need to transform deep friendly emotions into tangible fruits of cooperation to consolidate the foundation of bilateral relations, raise up the level of cooperation and bring more benefits to the two peoples.⁽⁹⁾

Another Chinese scholar who has also served as the China's Ambassador to Pakistan, Zhou Gang, went a step further by calling for Pak-China cooperation as a means of guarding against international hegemony and unilateralism. He said:

China and Pakistan must guard against hegemony and unilateralism, and safeguard their own sovereignty and security interests. They must learn the lesson of turbulences from West Asia and North Africa, firmly safeguard their domestic security and stability, steadily promote their reform, and oppose the interference of foreign forces in their internal affairs.⁽¹⁰⁾

Chinese scholars have used terms and phrases like “common interest,” “shared responsibility,” “common affection,” and “shared intellect,” for the community of shared destiny between Pakistan and China.⁽¹¹⁾

The importance of the PCEC is amplified by the fact that it is also going to link up with the greater Chinese plan of the Silk Road Economic Belt (SREB) that would connect China with Europe through Central Asia. The “five connections” proposed by the Chinese leadership for the Silk Road Economic Belt are: policy exchange, road network, currency circulation, and people’s friendship.⁽¹²⁾ Connecting with the SREB, the PCEC is of immense significance to China as well. Therefore, we can say that with serious long-term focus on the project by both Pakistani and Chinese leaderships, the PCEC has the potential to further cement the close bonds between the two countries in the days to come.

Linking Gwadar with Kashgar and onward with Central Asia is aimed at improving Pakistan’s trade and investment relations with China as well as Central Asia.⁽¹³⁾ It is hoped that at some point in time the Iran-Pakistan gas pipeline project could be extended to include China in it as well.⁽¹⁴⁾ The importance of Gwadar seaport for trade between the Persian Gulf and the western part of China — which includes the Middle Eastern oil — is also underscored by the fact that it could reduce the time taken for goods transportation to that part of China by around two weeks.⁽¹⁵⁾ In terms of distance, the PCEC would reduce the trade route distance of 16,000 km between the Arabian Sea and the South China Sea to 2,500 km.⁽¹⁶⁾ Construction of an oil pipeline from Gwadar to Kashgar through a distance of around 2,500 km to carry Middle Eastern oil is also envisioned.⁽¹⁷⁾ The PCEC is also considered important for China’s trade with Afghanistan as well as its strategic projection into West Asia and Africa.⁽¹⁸⁾

Kashgar is destined to grow exponentially after the operationalization of the SEZ in the city. If the development of Shenzhen, the city that pioneered the concept of SEZs, could provide us with an insight into the growth patterns of SEZs, we could expect Kashgar to grow at the rate of over 20 percent per annum, because Shenzhen grew at the astounding rate of 25.8 percent from 1979 to 2009, and a 4,176 times increase in 30 years.⁽¹⁹⁾ Pakistan could, thus, enormously benefit from it during its development as well as operational phase. The development of communication infrastructure could also help the tourism industry of the picturesque Northern Areas of Pakistan bordering China.⁽²⁰⁾

There is a perception that Pakistan’s potential to export to China is rather limited. It is argued that China already exports a variety of products that Pakistan could export to it. There are however, avenues for Pakistani businesses for export to China. For instance, China is the largest consumer market for gemstones, which is an opportunity for Pakistan. Pakistan has a potential yield of 800,000 carats of Ruby, 875,000 carats of Emerald, and 5 million carats of Peridot, which remains under-utilized. According to Shah Faisal Afridi, President of Pak-China Joint Chamber of Commerce and Industry (PCJCCI), China being the world’s largest consumer market for gems and jewellery, could help in utilizing Pakistan’s full potential through investment in the sector and promoting exports of gems to China.⁽²¹⁾ Pakistani and Chinese business communities also hope that the PCEC will enhance cooperation in the agriculture sector as well through greater transfer of technology in the field.⁽²²⁾ The establishment of the PCEC is expected to not only enhance existing trade

relations between the two countries but also boost transit trade opportunities for the western part of China through Pakistan.

Foundations of cooperation framework for PCEC

There are strong bilateral trade relations between Pakistan and China. Currently around \$12 billion per year, trade between the two countries is estimated to reach \$15 billion in the next couple of years. The volume of bilateral trade between Pakistan and China from January to May 2014 was \$6 billion, exhibiting a 12.66 percent growth rate.⁽²³⁾ China also has substantial investments in Pakistan with more than 120 Chinese companies operating in the country.⁽²⁴⁾ The importance of Chinese investment in Pakistan is well acknowledged by the leadership of Pakistan. For instance, during his July 2013 China visit, besides the government-to-government interactions, Prime Minister Nawaz Sharif held meetings with the Chinese business community to encourage them to invest in Pakistan.⁽²⁵⁾

The high-level state visits of the leaders of the two countries have assumed great significance lately for their role in carrying the shared perceptions of development forward and also for signifying the importance the two countries attach to their relations with one another. In keeping with the spirit of the relationship between the two countries, several high-level official visits have taken place between Pakistan and China since the assumption of office by the current government. In May 2013, Chinese Prime Minister Li Keqiang visited Pakistan to sign the landmark PCEC agreement. Prime Minister of Pakistan Mian Muhammad Nawaz Sharif visited China in July 2013, his first official visit abroad since assumption of the office. In February 2014, President of Pakistan Mamnoon Hussain, visited China wherein Chinese President Xi Jinping put forward the proposal of forging “China-Pakistan Community of Shared Destiny”. President Hussain visited China once again in May 2014 to attend the 4th summit of the “Conference on Interaction and Confidence-Building Measures” in Asia. Prime Minister Sharif visited China again in April 2014 to attend the Asia Forum in Boao in April 2014. President Xi Jinping was scheduled to visit Islamabad in September 2014, but the visit was postponed due to political crisis and protest demonstrations in Islamabad. The postponement was compensated for when Prime Minister Sharif visited China again in November 2014. Several important agreements have been signed between the two countries in these high-level state visits. According to one estimate, the total number of agreements signed between the two countries exceeds 250 with the “Treaty of Friendship, Cooperation and Good Neighbourly Relations” signed in 2005 providing the foundation for recent developments.⁽²⁶⁾

Quite a few important agreements of this long list were signed during the recent visits of high-level state leaders mentioned above. Eight cooperation agreements were signed during PM Sharif’s July visit to China. A broad agreement for the Pak-China economic corridor was among them. Another of the agreements was for laying a fibre-optic cable from the Chinese border to Rawalpindi for improving Pakistan’s access to international communications networks with 85 percent financing coming from China over the three-year

period of the \$44 million project.⁽²⁷⁾ Pakistan and China signed five agreements in the fields of economy and trade, regional connectivity, energy and people-to-people contacts during President Mamnoon Hussain's China visit in February 2014.⁽²⁸⁾ The agreement on "early harvest projects" in the economic corridor included the upgrading and realignment of the Karakoram Highway up to Islamabad, the construction of the Karachi-Lahore Motorway, the construction of new Gwadar Airport, and finally the establishment of economic zones along the PCEC.⁽²⁹⁾ Nineteen different agreements related to the implementation of the PCEC were signed during Prime Minister Sharif's China visit of November 2014.

The PCEC is a multidimensional project encompassing Pak-China connectivity through road and railway networks, laying down of fibre-optic cables, the operationalization of the Gwadar Port, and several energy projects. Chinese cooperation for the construction of the Diamer-Bhasha Dam and the completion of the Nandipur power project are also part of the PCEC.⁽³⁰⁾ Implementation of the projects under the PCEC has been divided into three phases. Short-term projects are estimated to be completed by 2017; medium-term by 2025, and long-term by 2030.⁽³¹⁾

Oversight of the implementation of the projects under the PCEC was given to a high-level Joint Coordination Committee (JCC) on implementation of the agreement on 20 July 2013.⁽³²⁾ The JCC met for the first time on August 27, 2013.⁽³³⁾ On the very same day, Pakistan's Federal Minister for Planning and Development, Ahsan Iqbal and the visiting Chinese Vice Chairman of National Development and Reforms Commission (NDRC), Zhang Xiaoqiang, inaugurated a new Division in Pakistan's Foreign Office exclusively dedicated to China and taking into account the increasing cooperation between the two countries.⁽³⁴⁾

The second meeting of the JCC on the PCEC was held a year later in Beijing on August 20-21, 2014. The focus of the second meeting was on early harvest projects, particularly: the rehabilitation and realignment of the KKH, the construction of the Karachi-Lahore Motorway, Orange Line Metro Train in Lahore, and projects related to the Gwadar Port, and capacity building and training.⁽³⁵⁾ The third meeting of the JCC followed the second one the very next week, on August 27, 2014 wherein the focus, once again, was on short-term projects.⁽³⁶⁾

The plan and progress

Early harvest projects related to transport and communication infrastructure under the PCEC include: the rehabilitation and realignment of the Raikot-Islamabad section of the KKH; the construction of Karachi-Lahore Motorway; the construction of Orange Line Metro Train in Lahore; the upgrading of the existing railway track from Karachi to Peshawar; the development of dry port and cargo holding facilities in Havelian; the construction of East bay Expressway in Gwadar; the construction of Gwadar International Airport; the construction of breakwaters at the port; the designing of berthing areas and channels at the port, the infrastructure for Export

Processing Zones and port-related industries in Gwadar; the construction of necessary facilities for fresh water treatment and supply in Gwadar; and the construction of a hospital and a vocational training institute in Gwadar.⁽³⁷⁾

The overall scope of the PCEC is much broader than the early harvest projects. For instance, as mentioned above, the construction of the Diamer-Bhasha dam is part of the PCEC in the field of energy cooperation. There are also two other coal-based power projects under the PCEC in Gaddani and Sahiwal. In the field of transport infrastructure, the construction of a new rail link from Gwadar to Jacobabad via Besima and Khuzdar is also part of the PCEC.⁽³⁸⁾ Establishing Special Economic Zones along the route of the PCEC is another important element of the corridor. In his speech, at the Opening Ceremony of the Think Tank seminar on “Building ‘China-Pakistan Community of Shared Destiny’ in the New Era” on August 5-6, 2014, Ambassador Sun Weidong mentioned the RuYi-Masood Textile Industrial Park in Faisalabad, and power projects like thermal power plant in Port Qasim and solar power plant in Quaid-e-Azam Solar Park in Bahawalpur as part of the PCEC.⁽³⁹⁾ While an MoU has already been signed for the RuYi-Masood Textile Industrial Park, several other special economic zones are planned on the PCEC, especially in Gwadar, South Punjab, and Sindh.⁽⁴⁰⁾

Following is an overview of the recent developments in the fields of road construction, railway lines, and Gwadar seaport related projects under the PCEC (energy projects are not under the purview of this study):

Roads

Improving the road link between Pakistan and China is an important element of the Pak-China Economic Corridor. Improvement of the existing road link all the way from Gwadar on the southern seacoast of Pakistan to Khunjerab Pass in the north on the border of China involves several road construction projects.

The Karakoram Highway (KKH), that connects Pakistan with China across the 4,693 meters (15,397 feet) high Khunjerab Pass on the Pak-China border, was completed in 1979. Rehabilitation and realignment of the highway is an important component of road construction projects under the PCEC. Starting from the town of Hasanabdal in Attock district of Punjab adjacent to Rawalpindi, the 806 km-long KKH goes all the way to the Chinese border.

The rehabilitation of the Hunza-Raikot section of the KKH had already been completed before the signing of the PCEC agreement. The PCEC envisages the rehabilitation and realignment of the Raikot-Islamabad section of the KKH. The focus of the PCEC is on the rehabilitation of the existing route of KKH with only minor realignments to avoid certain landslide-prone areas or some sharp turns at least up to Mansehra from where the Burhan-Mansehra Motorway would connect it with Islamabad as an alternative route.⁽⁴¹⁾ On November 29, 2014, Prime Minister Sharif performed the groundbreaking ceremony for the construction of the first part of this 110km four-lane motorway. It would start from the town of Burhan on the Islamabad-Peshawar Motorway (M-2) and would end at Mansehra via the town of Havelian where a

dry port is planned under the PCEC. The project is scheduled to be completed by the end of 2017.⁽⁴²⁾ The Raikot-Thakot Section is also scheduled to be completed by the same time.⁽⁴³⁾ Since the sections from Raikot onward to Sost and Mansehra to Thakot are already rehabilitated, and there is a motorway from Burhan to Islamabad,⁽⁴⁴⁾ the completion of the other two projects — that is the Raikot-Thakot Section of the KKH as well as the Burhan-Mansehra Motorway — would complete the rehabilitation of the KKH upto Islamabad by 2017.

At one place called Attabad in Hunza, a realignment of the KKH is required because a lake was formed in January 2010 after a massive landslide, which submerged 19km of the highway. A tunnel is being dug with Chinese assistance at the site of the Attabad Lake for the KKH to bypass it. In his meeting with Prime Minister Sharif, China Overseas Port Holding Company Limited (COPHCL) President Sun Ziyun said that work on Attabad Lake would be completed by 2016 with assistance from China Development Bank.⁽⁴⁵⁾ Bypassing the Attabad Lake is not part of the PCEC per se though, since work on it started before the inking of the PCEC agreement.⁽⁴⁶⁾

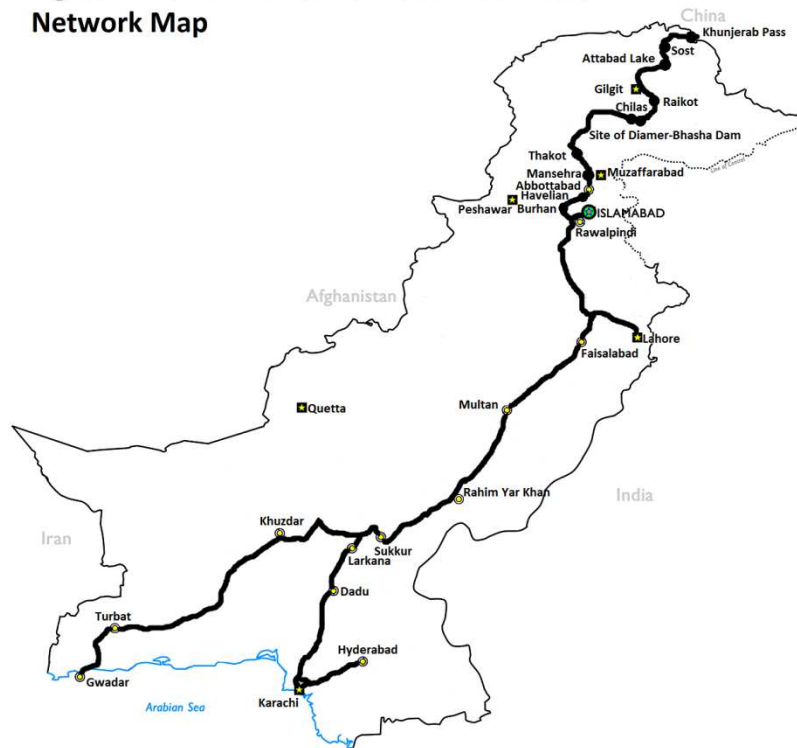
One strange anomaly of the PCEC is that while the construction of the Diamer-Bhasha Dam is part of it, the required large-scale realignment of the KKH due to the presence of the reservoir is not being considered at the moment. The 7.5 million acre feet water reservoir of the Diamer-Bhasha Dam could submerge 100km of the highway.⁽⁴⁷⁾ The Ministry of Planning, Development, and Reform, which is taking the lead on the PCEC, insists that the cost of any realignment of the KKH caused by the reservoir will have to be borne by the Ministry of Water and Power that would in turn take the lead in constructing the dam, as and when required.⁽⁴⁸⁾ Therefore, the current plan of the PCEC does not factor in that aspect.

It was reported that in a meeting presided over by Prime Minister Nawaz Sharif in August 2013, the realignment of KKH along the Chilas-Naran-Mansehra route was discussed to provide a shorter route and to bypass the section of the road affected by the future construction of the Diamer-Bhasha Dam.⁽⁴⁹⁾ It is pertinent to note here that as per the current (Mansehra-Thakot-Besham-Dassu-Chilas) alignment of the KKH, it hardly ever shuts down completely for traffic during winters all the way to Gilgit because of its unique low-altitude trajectory (except for the last part of it near the Chinese border while crossing Khunjerab Pass at the altitude of 4,693 meters (15,397 feet). A realignment of the KKH along the Chilas-Naran-Mansehra route would make it more susceptible to closure during winters because the 4,173 meters (13,691 feet) high Babusar Pass that separates Mansehra district from Gilgit-Baltistan region is closed for traffic throughout the winter due to heavy snowfall in the area.⁽⁵⁰⁾ The Chilas-Naran-Mansehra route could result in a halted flow of trade goods in the summer as well because of heavy tourist traffic on that route during the season.

The KKH would be connected with the road network of Pakistan through the existing Islamabad-Peshawar Motorway (called M-1) at Burhan. M-1 connects with the Islamabad-Lahore Motorway (called M-2) while another network of highways and motorways will connect it with Gwadar and Karachi.

Another important element of the road network of the PCEC is, thus: the Lahore-Karachi Motorway that would connect Lahore with Karachi via Khanewal, Multan, Sukkur, Khairpur and Dadu.⁽⁵¹⁾ Work is already near completion on the Lahore-Multan section of the motorway, while land has been acquired for the Multan-Sukkur and Sukkur-Dadu sections.⁽⁵²⁾ There is an existing motorway (called M-7) between Dadu and Karachi that would be connected with the new Multan-Dadu Motorway. As for the connection with Gwadar, a new Motorway called M-8 is under construction from Ratodero near Sukkur to Gwadar. During a meeting in August 2013, the prime minister also asked for the provision of interconnectivity between various road networks of the country, i.e. between the Motorways, the Indus Highway, and the GT Road for instance.⁽⁵³⁾ Interconnectivity projects are not part of the PCEC though. See **Figure 1** below for the planned alignment of the PCEC road network.

Figure 1: Pak-China Economic Corridor Road Network Map



Railways

Supplementing the road link between China and Pakistan with a rail link is another essential ingredient of the PCEC. There is no doubt that this added connection will greatly benefit the connectivity project. On June 21 last year, Prime Minister of Pakistan Mian Muhammad Nawaz Sharif called for ‘out-

of-the-box' ways for building a rail-link between Pakistan and China at a meeting in his office.⁽⁵⁴⁾ He proposed starting work early on the upgrading of existing railway tracks up to Havelian in Abbottabad district.⁽⁵⁵⁾ The keen personal interest of the prime minister is, perhaps, one of the reasons that the upgrading of the existing railway track from Karachi to Peshawar, and the development of a dry port and cargo handling facility in Havelian are two early harvest projects of the PCEC.⁽⁵⁶⁾

A 23-member delegation of Chinese railways experts visited Pakistan in October 2014 for a feasibility study. The feasibility assessment was aimed at the prospective investment of about \$3.5 billion for "replacement of rail tracks over 375km, deep screening of ballast over 1,260 km, conversion of un-manned level-crossing into underpasses at 50 places, conversion of manned level-crossing into flyovers at 250 places, realignment of 40 big curves, strengthening of 500 bridges and doubling a 438km track at various places between Shahdara and Peshawar."⁽⁵⁷⁾ The feasibility assessment is scheduled to be completed by the end of February 2015.⁽⁵⁸⁾ A medium-term project for a new rail link from Gwadar to Jacobabad via Besima and Khuzdar connection is also on the cards but its implementation has not been started yet.⁽⁵⁹⁾

While a lot of excitement has been generated in the media about establishing a bullet-train link between Karachi and Peshawar, it is not planned under the PCEC. Perhaps, the upgrade of the Karachi-Peshawar rail link (called ML-1) would help in slightly improving the speeds of trains plying on that route. As the Director/General Manager of Sinotec Song Shuangping, a Chinese company operating in Pakistan for about a decade, envisioned electric passenger trains running up to speeds of 180 km/hr and goods trains with speeds of 120 km/h in an interview.⁽⁶⁰⁾

Gwadar

Development of the Gwadar seaport is the foundation on which smooth functioning of the PCEC would depend. Therefore, all the projects under the PCEC related to Gwadar are priority projects. According to the PCEC plan, the construction of the Eastbay Expressway, completion of the Gwadar International Airport, construction of breakwaters, and dredging of berthing areas and channels are to be completed by 2017. Similarly, the integrated development of Gwadar, that includes: infrastructure for the export processing zone and port related industries, necessary facilities for fresh water treatment and supply, and construction of a coal-based power plant, a hospital, and a vocational training institute are to be completed within the same time frame.⁽⁶¹⁾ In March 2014, Gwadar Port Authority (GPA) Chairman Dostain Khan Jamaldini shared with the media after a three-day visit of CEO of COPHCL, Zeng Qing Song, that the company was planning on investing \$775 million in the city. He added that China would invest \$1.8 billion in nine development projects in Gwadar, including expansion of Gwadar Port and construction of an airport.⁽⁶²⁾ On the occasion, he also claimed that construction work on the Ratodero-Gwadar Highway would be completed by 2015.⁽⁶³⁾

It was reported that at a meeting with senior Pakistani authorities in August 2013, “a delegation of the China National Reforms and Development Commission offered assistance for the development of Mirani dam command area in Kech district and execution of a solar energy project in Gwadar, besides bringing investment in other sectors in Baluchistan.”⁽⁶⁴⁾ The Planning Commission denies any of these projects being under consideration within the framework of the PCEC though.⁽⁶⁵⁾

The real and present challenges

According to Dr. Luan Jianzhang, Vice Director General of Policy Research Office at the International Department of the Central Committee Communist Party of China, some of the greatest challenges in the way of successful completion of the PCEC are: the security situation in Pakistan, political unrest, administrative issues, and the skill-level of the Pakistani workforce working on the project.⁽⁶⁶⁾ Dr Luan pretty much summed up the difficulties that could be faced by PCEC.

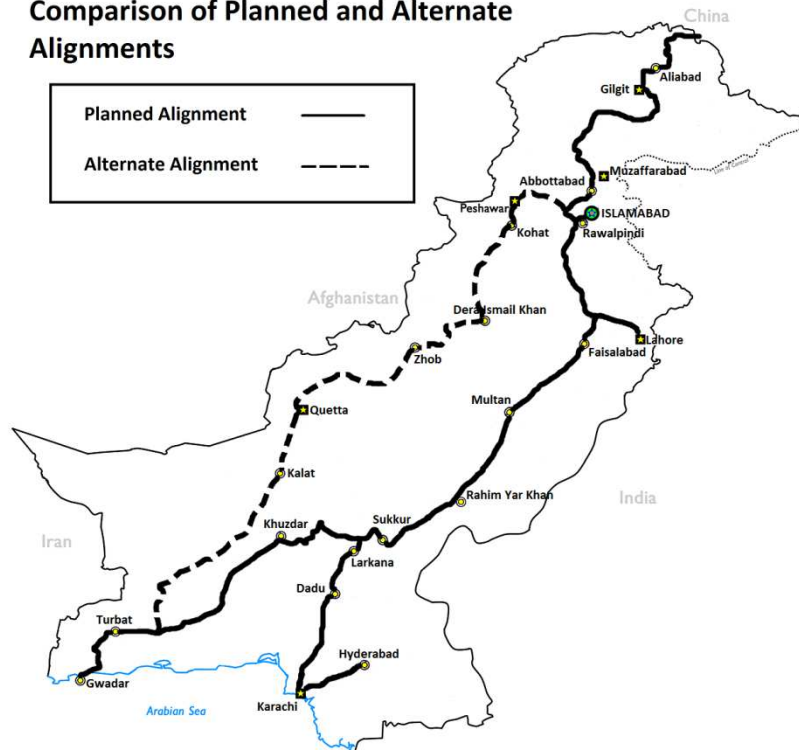
The security situation in Pakistan would remain a major issue in the way of realizing the full potential of the PCEC. Since I have extensively covered the question of security in some of my previous works,⁽⁶⁷⁾ I would only point out here that such is the level of anxiety in China vis-à-vis Pakistan’s security that the Chinese authorities closed the Pak-China border for trade and traffic owing to security concerns during China’s Independence Day celebrations in the first week of October 2013.⁽⁶⁸⁾ Therefore, if any trade will take place between Pakistan and China or between China and the rest of the world through Pakistan, security of the PCEC will have to be a priority.

As far as the security of the PCEC’s connectivity infrastructure is concerned, the motorway from Gwadar to Ratodero (the M-8) is particularly tricky. Work on the project has halted a few times in the past because of the bad security situation in the sparsely populated restive areas of Baluchistan that it passes through.⁽⁶⁹⁾ From 2007 to July 2014, 1,040 terrorist attacks — that is 23 percent of the total reported from Baluchistan — occurred in Awaran, Gwadar, Kech, Khuzdar, Lasbela, and Panjgur districts, which are on the route of the PCEC.⁽⁷⁰⁾ Taking cognizance of the additional security measures required for the PCEC in Baluchistan, Pakistan’s top project sanctioning authority, the Executive Committee of the National Economic Council (ECNEC) approved Rs.5.2 billion for recruiting 6,000 new personnel, who will be joined by 4,000 reserve police personnel to make a 10,000 strong constabulary force for protection of the PCEC in Baluchistan.⁽⁷¹⁾

Violent incidents reported from other districts of Pakistan in KPK, Punjab, and Sindh, which will be home to the PCEC are not very high in number.⁽⁷²⁾ The planners of the PCEC have actually opted for a longer alignment of the road network, avoiding the relatively shorter trajectory of linking Gwadar with the KKH via the Indus Highway that goes through Khyber Pakhtunkhwa (KPK), because of security concerns. Some analysts have voiced their opinions against bypassing the shorter route. They argue that it would deprive these marginalized areas of Khyber Pakhtunkhwa and Baluchistan from much needed

economic development.⁽⁷³⁾ There was also a debate in the Senate in June 2014 about the PCEC route in which certain senators criticized the bypassing of the “Pakhtun and Baloch areas” in connection with the PCEC.⁽⁷⁴⁾ A leader of a regional political party from KPK recently announced in a public rally that his party would take to the streets if the under-developed areas of Baluchistan and KPK were ignored for the PCEC.⁽⁷⁵⁾ Whether avoiding the marginalized areas of the country because of security concerns is the right choice or not, there is a serious need for improving the law and order situation in the country in general. Besides, sooner or later the shorter and more economical trajectory will have to be incorporated into the PCEC. **Figure 2** below shows the planned alignment of the PCEC in comparison with the shorter but insecure route that could have been adopted if security in the areas was not a big concern.

**Figure 2: Pak-China Economic Corridor
Comparison of Planned and Alternate Alignments**



Although there is a political consensus in Pakistan when it comes to Pak-China relations, political instability in Pakistan can and has affected the smooth-sailing of the PCEC. Very few would have guessed at the inception of the current parliament and government — having taken charge from another democratically elected government through a smooth and peaceful transition of power — that there would be a serious political turmoil in the country in about a

year's time. Yet, there was a political crisis in the country with serious consequences for some of the projects under the PCEC. A very glaring example of how it impacted the Pak-China relations was when the Chinese president had to cancel his scheduled visit to Islamabad for signing several agreements amid the political chaos in the capital. With long-term plans like the Vision 2025 in place, there is a serious need for political stability, and a continuity of policy and planning, especially in connection with foreign relations.

Making use of the existing physical and institutional infrastructure is different from building it. Pakistan has not been making very good use of the land-based route between Pakistan and China or between Pakistan and any other regional country for that matter. Despite an international road transport agreement between Pakistan and China in 1993 that became operational in 2006, the land-based trade between Pakistan and China is only a fraction of the total trade between the two countries.⁽⁷⁶⁾ Similarly, while Pakistan has transit, transport, and communication agreements with a host of regional countries, its trade with them still remains miniscule.⁽⁷⁷⁾ While a variety of reasons are given by Pakistani officials for the under-utilization of the existing institutional mechanism for intra-regional trade, they fail to alter the disappointing reality.⁽⁷⁸⁾

With respect to China as well, Pakistani officials point toward certain administrative procedures employed by the Chinese authorities, such as: the requirement for Pakistani truckers to offload at Tashkurgan instead of Kashgar as per the agreement, delays in the issuance of visas to drivers as well as clearance of passengers at Tashkurgan, and heavy quarantine charges etc.⁽⁷⁹⁾ Chinese officials contend, however, that Pakistan is not singled out for such quarantine checks. They maintain that trucks moving within China from some parts of the country to the others are also subjected to such measures. They agree, however, that these procedures need to be reviewed and that the situation could improve for transporters in the future.⁽⁸⁰⁾

As far as railways are concerned, although hundreds of millions of dollars are planned to be spent on rehabilitation of the Karachi-Peshawar rail link, there is a big question mark on the capacity of Pakistan Railways for utilizing the infrastructure it already has. With 94 percent of passenger traffic and 97 per cent of goods transported by road within Pakistan,⁽⁸¹⁾ improvement of a railway line does not seem to be the only requirement of Pakistan Railways. There are serious capacity issues that would need to be addressed as well. For instance, the ongoing feasibility study would only assess the infrastructure requirements for the upgrading of the track. It would be worthwhile to know how much value would be added to the goods transport in the country after the upgrade is complete, keeping in view the abysmal state of performance of the institution.

Although the projects related to the Gwadar Port have been given priority by the government, the Chairman of the Gwadar Port Authority, Dostain Khan Jamaldini, recently told the Senate Standing Committee on Ports and Shipping that delay in various projects related to Gwadar had increased their costs from Rs8 billion (around \$79 million) to Rs100 billion (around \$992 million) in six years. He specifically mentioned lack of progress on the

construction of a power grid, the failure of Pakistan Railways to acquire land for the railway lines, and the failure of the Civil Aviation Authority (CAA) to acquire land for connecting roads for the airport.⁽⁸²⁾

The difficult geography of northern Pakistan that connects it with China is another major challenge. Some of the geographical obstacles are being overcome, much as: the bypassing of the Attabad Lake with the help of a tunnel being dug through an adjacent mountain and the widening and rehabilitation of the KKH all the way from Chinese border. There are several other issues that remain unaddressed; for instance, as discussed above, there is no clarity on the contours of the KKH in case of the construction of the Diamer-Bhasha Dam that would end up submerging a good 100km of the newly rehabilitated road. Moreover, the Khunjerab Pass remains closed from November to May each year because of heavy snow. The enormous 4,693 meter (15,397 feet) altitude of the Khunjerab Pass presents truckers with another challenge: they have to offload 30 per cent of their cargo for the crossing because the diesel engines of their vehicles cannot operate at the optimal levels due to low levels of oxygen at that height and low air pressure. In addition, the KKH is susceptible to natural calamities like quakes and slides, as was the case when a massive landslide led to the creation of Attabad Lake in January 2010 and the subsequent submergence of a portion of the Karakoram Highway (KKH).⁽⁸³⁾ Will an upgrade of the highway resolve all of these problems related to the rugged nature of the geography that the KKH has to traverse? Nobody is really sure. There is no denying the fact, however, that improvement of the highway and motorway network all the way from Gwadar and Karachi to Gilgit would substantially reduce the time taken by trucks from the coast to the Chinese border.

There is also a need for greater clarity on how the PCEC would affect trade patterns between Pakistan and China; would it mean even more imports from the latter or the other way round. Some observers are already pointing out that free trade with China has affected certain sectors of Pakistan's economy because of competitive imports from China, such as: paper, paperboard, and ceramics.⁽⁸⁴⁾ Being mindful of the concerns that greater connectivity with China could potentially result in greater imports from it, Khalid Mehmood suggests that China should relocate its intermediate level industry to Pakistan while focusing itself on the high-tech side, which would provide Pakistan with industrial investment from China in the form of joint ventures with guaranteed buy-back arrangements.⁽⁸⁵⁾ Except for the RuYi-Masood Textile Industrial Park — the contours of which are not very clear yet either — nothing of the sort is on the table in the PCEC at the moment. Hasan Askari Rizvi calls for linking South Asia, Central Asia, and West Asia. For that, however, he rightly points out that Pakistan will not only have to take care of its domestic economic and security situation, but it will also have to normalize economic and diplomatic relations with India.⁽⁸⁶⁾ This is a very realistic way of looking at the potential of the PCEC for regional connectivity, and regional connectivity in general as enunciated in the Vision 2025. Direct trade with India and Afghanistan will have to be

improved for realizing the goal of regional connectivity under the framework of Vision 2025.

Conclusion

The Vision 2025 document rightly calls for regional connectivity, not only through the PCEC, but also through other such arrangements with regional countries. President Xi's idea of a "China-Pakistan Community of Shared Destiny" for the pursuit of common interests through mutually beneficial partnerships has the potential of taking Pak-China relations to an even higher level. While the PCEC actually preceded "China-Pakistan Community of Shared Destiny," the spirit of the two, however, have been the same.

For China, the PCEC links up with its more ambitious Silk Road Economic Belt (SREB) project, thereby adding to its significance, especially in the backdrop of the development of a Special Economic Zone (SEZ) in Kashgar. Moreover, Gwadar is important for China to connect its less developed western part with Persian Gulf and beyond for trade. The PCEC could also be instrumental in western China's trade with Afghanistan, and even India, transiting through Pakistan. Pakistan would also benefit from the transit of Chinese trade goods via Pakistan. The PCEC could also increase the market potential for Pakistan's exports to China in the field of textile, agricultural products, and minerals, besides adding a boost to tourism in the northern reaches of the country.

Developing on a strong foundation of friendly relations between the two countries, the multidimensional PCEC is receiving the highest level of government interest in both the countries. With agreements already inked on road, rail, and fibre-optic links, the development of Gwadar port, and a host of energy cooperation projects, the PCEC is very much on its way in realizing the goal of bringing mutual prosperity to the two countries.

When one looks at the progress on various infrastructure projects under the PCEC, road projects appear to have taken the most promising start. The KKH is already rehabilitated up to Raikot and would be completed all the way up to Thakot by 2017. The first leg of the Burhan-Mansehra Motorway up to Havelian would also be completed around the same time. Bypassing the Attabad Lake is likely to be completed before that. Work on the Lahore-Karachi Motorway link is also on schedule. The only question that remains unanswered is the substantial realignment of KKH that would be required after the construction of the Diamer-Bhasha Dam; and also the fact that a substantial amount of money would be spent on a road that is likely to be submerged under water by another project also incorporated into the PCEC. At some later point — most probably after the security situation would have improved in Baluchistan and KPK — the relatively shorter route of the Indus Highway connecting with KKH on the one end and Gwadar on the other, would need to be made part of the Pak-China connection. This would be crucial in dispelling the grievances of the people of those areas for being neglected with respect to this project. At this point, however, the security situation is dictating the route options, which is quite understandable.

Railway is one aspect of the PCEC where a lot of optimism is rather misplaced. From the dreams of bullet trains between Karachi and Peshawar to that of railways overtaking road network options for trade, the expectations seem quite inflated. Given the prevalent inefficiency in Pakistan Railways, it is difficult to assume that even the pumping of millions of dollars into the upgrade of the Karachi-Peshawar connection would bring any substantial benefit for the PCEC unless some tough managerial decisions are taken in the institution regarding the improvement of its working. While the government has given priority to the projects related to Gwadar, slow progress on the projects has already increased their costs by a dozen times.

Although the security situation in Pakistan has improved considerably, it could still put a question mark on the development potential of the country in a variety of ways. For Pak-China cooperation on the PCEC to develop smoothly, a consistent improvement in the security situation in the country and the safety and security of Chinese nationals working in Pakistan would be a must. The recent political unrest in the country has also had a direct bearing on the PCEC — the cancellation of Chinese President's visit in September for the signing of several agreements being one glaring example. The host of administrative issues pointed out in the previous section would need to be addressed as well in order to reap the full benefits of the project.

While the establishment of Special Economic Zones in certain areas along the PCEC and the relocation of some intermediate level industry from China will help boost Pakistan's export potential vis-à-vis China, the PCEC will not be fully utilized unless it will be connected regionally as envisioned in the Vision 2025 document of the Government of Pakistan. Pakistan's location at the cusp of Central Asia, South Asia, and West Asia makes it ideally suited for inter-regional trade. The infrastructure developed under the PCEC would help Pakistan realize the dream of becoming a regional trading hub, but for which Pakistan, Afghanistan, and India would need to improve their diplomatic relations as well.

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THE ROAD TO PAKISTAN'S DISMEMBERMENT: 1971

MARYAM MASTOOR

On 16th December 1971, Pakistan got dismembered. East Pakistan became Bangladesh. There are various narratives about the incident. A bulk of literature has focused on “what” happened in 1971.⁽¹⁾ “How” many were killed?⁽²⁾ Who is to blame?⁽³⁾ However, little effort and attention have been given to the question of “why”. Why did Pakistan get dismembered? This paper shall attempt to answer this pertinent question and try to find out structural flaws in the political system that eventually led to this painful human tragedy in the history of Pakistan.

The paper is divided into three sections. The first section deals with an ideological vacuum at the national level from which the call for identity and acceptability echoed from East Pakistan. After the sudden demise of Quaid-e-Azam in 1948, there wasn't any leader of national stature who could determine an appropriate course for the country and ensure national cohesion. Confusion about the founding ideology of Pakistan created a structural flaw right in the beginning, eventually leading to a procrustean rule in Pakistan that tragically ignored the diversity it contained within its borders. The second section discusses the process of indoctrinating autocracy in the political system of Pakistan. Autocracy, which was presumed to suit the ‘genius of people of Pakistan’, led to its dismemberment. Finally, the last section deliberates upon the events that marked the end of a united Pakistan.

From perplexing ideology to procrustean rule

In the Lahore resolution that was unanimously passed by the All-India Muslim League, the word ‘states’ rather than ‘state’ had been mentioned. It stated:

It is the considered view of this Session of the All-India Muslim League that no constitutional plan would be workable in this country or acceptable to the

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Muslims unless it is designed on the following basic principles, viz that geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary that the areas in which the Muslims are numerically in majority as in North-West and Eastern Zones of India, should be grouped to constitute 'Independent States' in which the constituent units should be autonomous and sovereign.⁽⁴⁾

There was an ambiguity in the Pakistan plan. Later, it was suggested that the mention of 'states' rather than 'state' in the Lahore resolution was a 'typing' mistake. In an interview with the *Associated Press of America* in 1940, Quaid-e-Azam Muhammad Ali Jinnah clarified that Pakistan would be a democracy based on the principles of social justice and equality with autonomy granted to its 'component states or provinces.'⁽⁵⁾ For having clarity about Jinnah's vision of Pakistan, his interview with the *Associated Press of America* is given as under:

Geographically — Pakistan would embrace all of the North West Frontier, Baluchistan, Sind and the Punjab province in the North Western India. On the Eastern side of India would be the other portion of Pakistan of Bengal and Assam.

Politically — Pakistan would be a democracy. All major industrial and public utility services would be socialized. The component states or provinces of Pakistan would have autonomy.

Economically — Pakistan [would be] divided into two separate zones...would be just as sound an undertaking as if it were a country with all states in one block; its natural resources and population would be sufficient to make it a great World Power.

Most Powerful States — Pakistan would embrace a population of one hundred million persons...would...become one of the most powerful States economically.... a Muslim League Committee was studying the field for developing the Pakistan State as a nation.... there was a great future for it with its still untouched iron, petroleum, sulphur, coal and other mineral deposits many of which had already been mapped...Punjab was putting up one of the greatest hydro-electric stations in the world which would mean a programme for the rural electrification and industrial development.

Financial position — There would be ample revenues from "equitable taxation levied in a manner consistent with social justice" to finance good government and to allow the Muslims to have a state as good as any in the world and better than many sovereign countries on the map of the world today.

In the Lahore resolution and the aforementioned interview, Quaid-e-Azam had vaguely put forward the idea of making East Pakistan into a federation of Pakistan. However, at that time in 1940, 'Muslim unity' was increasingly needed. Therefore, it might be assumed that an unequivocal revelation of such a thought was cautiously avoided.

Hence, Pakistan came into existence in 1947. It emerged as a land where people could freely practice their religion, be it Muslims, Hindus, Sikhs or Christians.⁽⁶⁾ Pakistan was founded to ensure freedom in practicing religion, to foster equity and to undo discrimination on the basis of religion, caste or

creed. Sindh, Baluchistan, Punjab, North West Frontier Province (now Khyber-Pakhtunkhwa) and East Pakistan, constituted Pakistan. Quaid-e-Azam Muhammad Ali Jinnah envisaged the intangible connection of 'faith' between the Western and Eastern parts of Pakistan, powerful enough to keep the country united. Unfortunately, however, the principles of social justice and equity mentioned by Jinnah as structural fundamentals for Pakistan were forgotten in the very early years of Pakistan's existence.

After independence, the two-nation theory wasn't enough to unify the heterogeneous society of Pakistan.⁽⁷⁾ For the nascent state of Pakistan, a unifying ideology to achieve national cohesion was imperative. That unification, however, was quite naively materialized by spelling out 'India's threat' to the existence of Pakistan. From Liaquat Ali Khan to Pakistani leaders of today, India's threat was and is 'considered' as a unifying force for the people of Pakistan. Christine Fair rightly calls Pakistan an insecure state since birth.⁽⁸⁾ Hence, Pakistan was configured as an 'anti India' state.

After the partition, the threat from India was there, but it was over-emphasized whereas the imperative issue of acknowledging and managing diversity within Pakistan was left on the back burner. Pashtuns, Balochis Punajbis and Sindhis represented contrasting traditions. East Pakistan envisioned themselves as the custodians of the Bengali culture. Their love for their culture was their identity. Therefore, Bengalis yearned for 'respect' of their identity within Pakistan. It is pertinent to peep into history to gain an understanding of the deep urge among Bengalis for 'respect', prosperity and 'acceptability.'

Aching for respectable acceptability

Before partition, the middle class that emerged in Bengal was Hindu. The 1871 census report indicated that Hindus were, at large, the principal landlords, public officers, men of learning, moneylenders and traders. On the contrary, the majority of Muslims in Bengal belonged to the peasant and daily wager classes.⁽⁹⁾ In some areas of East Bengal, 85 per cent of the town buildings were owned by Hindus.⁽¹⁰⁾ Therefore, the Muslims of East Bengal responded enthusiastically to the call of All India Muslim League.⁽¹¹⁾

Interestingly, even before the partition, Bengalis identified themselves with culture, rather than religion. In 1944, the President of the Bengal Muslim League, Abdul Mansur Ahmed, declared in his presidential address that:

Religion and culture are not the same thing. Religion transgresses the geographical boundary, but *tammadun* (culture) cannot go beyond the geographical boundary (...) For this reason the people of *Purba* (East Pakistan) are a different nation from the people of other provinces of India and from the 'religious brothers' of Pakistan.⁽¹²⁾

Ethnicity is a very strong phenomenon in Pakistan. Not only Bengalis, but Balochis and Pathans also adhere to the ethnic identity more than religion. Nawab Akbar Bugtisaïd that "I have been a Baloch for several centuries. I have

been a Muslim for 1400 years. I have been a Pakistani for just fifty.”⁽¹³⁾ Similar remarks were made by a Pakhtun leader, Wali Khan.⁽¹⁴⁾

Before the partition, the theory of martial race determined a person's accession to a governmental post. Field Marshal Lord Roberts (Commander-in-Chief of India from 1885-1893) was a chief proponent of the theory. Roberts argued that people inhabiting in South West India ‘lacked courage and possessed the inferior physique.’⁽¹⁵⁾ Other than the martial race concept, it would be interesting to note that in 1857 during the ‘Great Rebellion’, the Bengal Army provided the bulk of rebel forces against the British.⁽¹⁶⁾ Therefore, in the later years, the British cautiously avoided recruiting of Bengalis in the Indian Army. Whatever might be the reason, Bengalis were scarcely recruited in the British Army, as well as in the Indian Civil Service and the Indian Police Service.

At the time of partition, out of 101 Muslim members of the Indian Civil Service and Indian Police Service, only 18 had been from Bengal.⁽¹⁷⁾ Later in 1949, a quota of 40 per cent for the inclusion of Bengalis in Civil Service (against 23 per cent for Punjabis) was introduced to make up for their socio-economic backwardness.⁽¹⁸⁾ However, it was not sufficient for enabling Bengalis to be a part of the decision-making cadre of the country. By the mid 1950s, out of 741 top civil servants only 51 were Bengalis.⁽¹⁹⁾

Table 1

Central Secretariat Elite Posts: 1955

	East Bengal	West Pakistan
Secretary	0	19
Joint Secretary	3	38
Deputy Secretary	10	123
Under Secretary	38	510

Source: Pakistan Constituent Assembly Debates Vol 1, 7 January 1956, p.1844. Cited in Ian Talbot, “The Punjabization of Pakistan” in Christophe Jaffrelot, (eds) *Pakistan: Nationalism without a Nation* (Lahore: Vanguard Books, 2002), p.55

The representation of Bengalis in the Pakistan Army was severely minimal. By 1955, there was only 1 Bengali brigadier, 1 colonel, and 2 lieutenant colonels out of 308 officers of higher ranks.⁽²⁰⁾ Bengalis were discriminated for being ‘Bengali’ by the British. Therefore, they envisioned Pakistan as their dreamland, where they could get respectable acceptability.

Table 2

Military Elite in Pakistan -1955

	East Bengal	West Pakistan
Lt Gen	0	3
Maj Gen	0	20
Brig	1	34
Col	1	49
Lt. Col	2	198

Maj	10	590
Naval officers	7	593
Air Force officers	40	640

Source: Cited in, Ian Talbot, "Punjabization of Pakistan", in Christophe Jaffrelot, (eds) *Pakistan: Nationalism without a Nation* (Lahore: Vanguard Books, 2002)p.54

Given this palpable situation of Bengalis, who constituted the majority of Pakistan's population (56 per cent), their representation was essential at the Centre. After Liaquat Ali Khan's assassination, Khawaja Nazimuddin (1951-1953) and Huseyn Shaheed Suharwardy (12 September 1956 — 17 October 1957) who were Bengalis by origin, were made Prime Ministers of Pakistan. They, however, could not address the grievances of Bengalis in an effective manner.

The first clash of opinions between West Pakistanis and East Pakistanis occurred on the issue of language. Urdu in comparison with Bengali was a new language. Bengali was incredibly rich in literature. It had a colossal historical value. Its alphabets were complete by the 12th century, while the first verse in Urdu dates back to the 15th century.⁽²¹⁾

The language movement in East Pakistan

Before partition, the All India Muslim League faced fierce opposition from Bengali Leaguers on proposing Urdu as the national language of Pakistan. Later, Dacca University became the central hub of political activity of inordinate Bengali nationalism in Pakistan.⁽²²⁾ In February 1948, Direndra Nath Datta and other Hindu members of the Pakistan National Congress were the first to raise the issue of language in the Pakistan Constituent Assembly.⁽²³⁾ Quaid-e-Azam, who desired national cohesion, considered the language issue a trivial one, and announced on 19th March 1948:

Without one state language, no nation can remain solidly together and function ...state language of Pakistan is going to be Urdu and no other language. Anyone who tries to mislead you is really an enemy of Pakistan.⁽²⁴⁾

Later, Jinnah did accept that the Bengalis can have Bengali as the language of their province, yet Urdu would be the state language.⁽²⁵⁾ He said:

Realizing, however, that the statement that your Prime Minister made on the language controversy, left no room for agitation, in so far as it conceded the right of the people of this province to choose Bengali as their official language if they so wished, they changed their tactics. They started demanding that Bengali should be the state language of the Pakistan Centre, and since they could not overlook the obvious claims of Urdu as the official language of a Muslim state, they proceeded to demand that both Bengali and Urdu should be the state languages of Pakistan. Make no mistake about it. There can only be one state language if the component parts of this state are to march forward in unison, and in my opinion, that can only be Urdu.

It might be argued that Quaid was mistaken in his judgment, as the language of 56 per cent population of a country cannot be restricted to a province alone. Urdu and Bengali both could have been national languages. For instance, Canada has designated both English and French as official languages. Bolivia's 2009 constitution entitled Spanish and all indigenous languages as official.⁽²⁶⁾

There was fierce resentment among Bengali students over Quaid's announcement of making Urdu the national language of Pakistan. Later in 1952, when Prime Minister Khawaja Nazimuddin declared again in Dhaka that "Urdu will be the state language", Dhaka University students held a massive demonstration against the announcement. The police and paramilitary forces resorted to the use of force and killed several students.⁽²⁷⁾ The martyr's column was immediately raised on the spot where the first Bengali student was slain. It is still considered as a symbol of Bengali nationalism in Bangladesh.

One may question at this point, what makes people obstinate enough to adhere to their 'own' language. There might be many explanations of the phenomenon. One logical interpretation might be that naturally humans want ease in their lives. It was difficult for Bengalis to adapt to an altogether new language as there were few people in East Bengal who could speak Urdu. Secondly, the Bengalis wanted to preserve the literature of Bengali language. A struggle by Sindhi nationalists to preserve their language, as it is also rich in literature can be considered in this context. Thirdly, only 21 per cent population of East Pakistan was literate in 1961. Therefore, it was almost impossible for them to learn a new language. Dissension on the issue of language in Pakistan laid the foundation of Bangladesh.

In the early years of Pakistan, there was no national party or leader to promote national cohesion. None of the leaders in Pakistan tried to materialize unity in diversity. Before national integration could have been achieved, Pakistan was confronted by a mass scale ethnic movement based on language. Gradually, provincial politics took root and got strengthened under the strong central government of General Ayub Khan. In this abysmal situation, there was no leader who could make Pakistanis into a nation; hence ethnic diversity of each regional group became their 'identity' and was politicized. This occurred simultaneously around the time when civil and military bureaucracy acquired decision making positions.

The nourishment of 'systemic flaw' — entrenching autocracy

For the heterogeneous society of Pakistan, a system based on representative democracy was indispensable. On the contrary, an autocratic system was installed in Pakistan. Military and civil bureaucracies, which were considerably more organized as compared to politicians, indulged in a power struggle. Much in contrast to those in India, politicians in Pakistan were confronted by anti-politician forces (civil and military bureaucracies). Anti-politicians considered politicians as, above all, incompetent rulers.

'Anti politicians' and the rise of provincial politics

The politicians in the newly born Pakistan were inexperienced and ill-organized to control the 'over-mighty' civil service.⁽²⁸⁾ Comparatively, the situation in India was altogether different. The Indian National Congress in India was established in 1885. It provided a formidable political structure based on democracy for an independent India. Interestingly, on the other hand, the All India Muslim League was formed in 1906 in Dhaka. In the early years, the Muslim League was a 'thinkers club' of the Muslim elite. It emerged as a convincing and powerful political player after 1937. Therefore, the Muslim League was profoundly immature to consolidate the political domain of Pakistan. Owing to the inexperience of politicians, the central power was rendered to civil servants, who circumscribed the accountability they owed to the people of Pakistan.

Politicians, therefore, became quite active in the provinces. For instance, the Awami Muslim League was formed for voicing the rights of East Pakistan in 1949 and the Pakistan People's Party was launched in 1967, as a representative party of West Pakistan. However, at the centre, there was no political party to speak for the rights of the entire nation. A few amongst western qualified elite of Pakistan were affiliated to the Communist Party of Pakistan (1948). However, they neither had substantial representation at the central level, nor at the provincial level. The Muslim League was left in the hands of civil servants. There was a continuous struggle for power between anti-politicians, i.e. the civil servants at the Centre and the politicians at the provincial level.⁽²⁹⁾ The delay in the formulation of the first constitution is also attributed to these 'anti-politicians.'⁽³⁰⁾

The Rawalpindi conspiracy case

Other than civil servants, the efficient military men of the nascent state of Pakistan were also averse towards political factions in Pakistan. They were overambitious, and in the words of Hassan Zahir, they were 'Bonapartist'.⁽³¹⁾ They considered themselves reformers and saviours of Pakistan. Ishtiaq Ahmed in his book, *Pakistan: the Garrison State*, writes that Major General Akbar Khan was displeased by Pakistan's acceptance of ceasefire in the Kashmir war of 1948, and he used to criticize the government quite harshly on this stance.⁽³²⁾ On 9th March 1951, Major General Akbar Khan, Urdu poet Faiz Ahmed Faiz, (who was editor of the Pakistan Times), Sayed Sajjad Zahir⁽³³⁾ and several army officers were arrested for the crime of conspiring to overthrow the government of Prime Minister Liaquat Ali Khan.⁽³⁴⁾ Pakistan was scared by a coup attempt in just four years of its existence.

Hasan Zahir narrated an interesting event about Major General Akbar Khan, the mastermind of the Rawalpindi conspiracy. He said that on 14th August 1947, at a reception ceremony of Mountbatten hosted by Quaid-e-Azam, a group of armed services officers were also invited. At the reception, Akbar Khan said to Quaid-e-Azam: "Sir, we are very happy at Independence and the emergence of Pakistan. But our hopes of a new system have not been realized. We still have the same colonial structure [referring mainly to British officers]. We should

bring about a change in line with the genius of our people.” He continued in the same strain. The Quaid gave Akbar Khan a withering look and in his usual style, pointing with his finger, snubbed him: ‘Look here, you are a soldier. You have no business to criticize the government. You must concentrate on your profession.’⁽³⁵⁾ This illustration simply revealed the mindset of Pakistan’s military officers, who wished for ‘more’ than their professional duties.

On 16th October 1951, Liaquat Ali Khan was assassinated by an Afghan national, Said Akbar, at a public meeting in Rawalpindi. From 1951 to 1958, after the untimely death of Liaquat Ali Khan, seven prime ministers took to office. Such sudden changes in the highest command of Pakistan resulted in the making of an extremely weak and vulnerable political system. There was no nationally accepted constitutional document available to deal with thearduous problems confronted by Pakistan.

Squeezing the ‘majority population of East Pakistan’ & Constitution making

After Liaquat Ali Khan, Khawaja Nazimuddin, a Bengali, was made the Prime Minister of Pakistan. A senior bureaucrat, Malik Ghulam Muhammad, who was serving as the finance minister, was made governor general. Initially, constitutional matters in Pakistan were being executed under the 1935 Act. Therefore, a nationally accepted constitutional arrangement to address perplexing issues in Pakistan’s politics was required.

In 1952, a Basic Principles Committee (appointed on 12th March 1949 for drafting recommendations for the future constitution of Pakistan) recommended a bicameral legislature with parity of representation of East and West Pakistan. The principle of parity was widely criticized in East Pakistan. Khawaja Nazimuddin called it a ‘national document with maximum consensus.’ It was later learnt that only 16 out of original 29 members of the committee signed the report.

Unrest in the country owing to non-representative constitutional developments, gave the Governor General an excuse to dismiss Prime Minister Nazimuddin. Eventually, Muhammad Ali Bogra assumed the office of Prime Minister. Muhammad Ali Bogra, again a Bengali, was serving as an ambassador to the United States when summoned to lead the country as prime minister. On 7th October 1953, Muhammad Ali Bogra presented a constitutional formula, which he said was acceptable to all the provinces. According to this formula, central legislature was to have two houses, upper and lower. In the upper house, equal representation was given to each province and in the lower house, as per population suffrage, 165 seats were allocated for East Pakistan and the rest of 135 out of a total 300 were allocated for other federating units,⁽³⁶⁾ so that when both houses meet, both wings will get equal representation.⁽³⁷⁾

Amid constitutional disarray, the unexpected election results of the Provincial Assembly in East Pakistan became a source of consternation for the leaders of the country. Jugtu Front (a united political front against the Muslim League in East Pakistan) defeated the Muslim League and became a game changer. Jugtu Front was not allowed to form government and once again, the

constituent assembly was dissolved in October 1954.⁽³⁸⁾ The dissolution of assembly was not unexpected. Mazhar Aziz, in his book *Military Control in Pakistan, a Parallel State*, has mentioned a statement of the British High Commissioner about Iskander Mirza. His Excellency said that, "he (Mirza) told me (the High Commissioner) frankly that if election returns showed that a post elected government was likely to be dominated by undesirable elements (he [Mirza] did not define "undesirability" for this purpose....) he would himself intervene."⁽³⁹⁾

After the dissolution of the assembly, the Governor General again reconstituted the cabinet under the leadership of Muhammad Ali Bogra. This new cabinet included the Commander in Chief of the Army, General Ayub Khan.⁽⁴⁰⁾ This development paved the way for the army's entrenchment in politics. Right from the beginning, 'vote' remained impotent in Pakistan. Hence government by people's representatives as envisaged by Jinnah remained a distant dream.

The politicians were losing ground and army establishment was taking hold of the political affairs of the country. This was happening when provinces were disgruntled. Awami League was aggressively vocal for the rightful share of East Pakistan within Pakistan. 'Saala Punjabi' was a word on street in East Pakistan. West Pakistan was attributed as a land dominated by Punjabis who were alleged to 'eat' the share of East Pakistanis.

On 15th October 1955, West Pakistan was made One Unit, one province, like East Pakistan, by integrating various federating units into one. Pakistan had now two provinces, West and East Pakistan. Notwithstanding the rightful share of East Pakistan, the first constitution was drafted under the prime minister-ship of Chaudhary Muhammad Ali. It was promulgated on 23rd March 1956. It abolished the office of the governor-general and provided for power-sharing arrangements between the president and the prime minister. It was democratic in nature, and the declaration of Quaid-e-Azam Muhammad Ali Jinnah that "Pakistan would be a democratic state based on Islamic principles of social justice" was included in the preamble of the Constitution.⁽⁴¹⁾

To ensure equality, East Pakistan and West Pakistan were to have equal seats in the national legislature. While parliamentary and federal in form, the constitution ensured that the president retained supreme powers and the centre was more powerful than the provinces.⁽⁴²⁾ The first constitution was contrary to the aspirations of East Pakistanis. Introduction of parity in national legislature was like squeezing their mammoth existence, and equating to West Pakistan (all of which constituted 44 percent of the population in Pakistan).

Under the first constitution, the date for elections was set for March 1958. In April 1957, East Pakistan passed a resolution calling for provincial autonomy, leaving currency, foreign affairs and defence in hands of the Central Government in Karachi. At that time, President Iskander Mirza had stated that regional autonomy, if granted, would mean complete dismemberment of Pakistan.⁽⁴³⁾

This situation led to agitations across the country and eventually taking benefit from the political turmoil, Iskander Mirza, Pakistan's first president,

abrogated the Constitution of 1956 and declared Martial Law. He made General Ayub Khan, his close confidant, the Chief Martial Law administrator. It is interesting to note that General Ayub's term as Commander-in-Chief was to end in 1954.⁽⁴⁴⁾

Over centralization¹ under Ayub

Ayub Khan when assumed power declared by his actions that Pakistan was going to be a state with strong centre. As in 1954, he wrote that Pakistan must have a "solid, sound and cohesive nation."⁽⁴⁵⁾ "The East Pakistan tragedy can certainly be accounted as a blistering cost of over centralization."⁽⁴⁶⁾

Successive leaders ignored the cultural diversity of Pakistan. Provincialism grew stronger when ethnic groups of Pakistan were not represented in the central government. Quaid-e-Azam Muhammad Ali Jinnah said that:

What we want is not talk about Bengali, Punjabi, Sindhi, Baluchi, Pathan and so on. They are of course units. But I ask you: have you forgotten the lesson that was taught us thirteen hundred years ago? You belong to a Nation now. You have carved out a territory, a vast territory. It is all yours: it does not belong to a Punjabi or a Sindhi or a Pathan or a Bengali. It is all yours. You have got your central government where several units are represented. Therefore, if you want to build yourself up into a nation, for God's sake give up this provincialism.

The Quaid did talk of "giving up provincialism" but before that he said: "you have central government where several units are represented." People's representation at the Centre was not a priority for leaders in Pakistan. Leaders in India, on the other hand, focused their energies on the establishment of a credible Election Commission, which was formed in 1950. Then, through "Peoples' Representation Act of 1951" it was ensured that every section of Indian society is represented in the central government.⁽⁴⁷⁾

Other than installing a controlled political system, which was quite contrary to the aspirations of the people, the defence strategy of Pakistan was also faulty. In 1956, Ayub as the Commander-in-Chief of Pakistan said: "the defence of East Pakistan does not lie in that part of the country. So long as the Western base is not strong, it remains indefensible."⁽⁴⁸⁾ Eventually, in the 1965 war with India, East Pakistan was left defenceless.

Brigadier (ret'd) Zahid is of the view that given the highly vulnerable position of East Pakistan, as it was surrounded by the 'enemy state,' the focus should have been on the security of East Pakistan.⁽⁴⁹⁾ Lieutenant General (ret'd) Majeed Malik explained the logic behind this limited security doctrine, saying that the Pakistani military strategy has always been India centric, and due to the proximity of major communication centres like Lahore and the railroad communication being generally close to the border, the entire military planning was focused on fighting a war on the plains of West Pakistan.⁽⁵⁰⁾ Some analysts

¹ Term used by Christophe Jaffrelot in *Nation without Nationalism*.cit

believe that this negligence eventually became the last nail in the coffin of united Pakistan.

En route to ethnic divisions

Ayub Khan promoted himself to the rank of a Field Marshal.⁽⁵¹⁾ His disdain for the politicians and the 'coercive understanding' between him and Iskander Mirza owing to which he 'stepped down,' is well explained in Stanley Wolpert's work on Zulfikar Ali Bhutto.⁽⁵²⁾ His self-centred political doctrine shifted an aspiring democracy to an autocratic system, where decision power rests in one man alone. Political parties were banned, the constitution of 1956 was abrogated, politicians were put behind the bars, and public leaders were 'disqualified' for holding any important office.⁽⁵³⁾ A strong central government was made, whose objectives were to ensure economic progress and a daunting defence in the country. Ayub wanted to consolidate the nation by attracting attention on the notion of 'Indian threat.'

It is imperative in a complex pluralistic society to have strong institutions that can guarantee people's representation in the government and ensure civil rights, regardless of any caste, creed or ethnicity. Otherwise people may attribute their alienation to the difference in their ethnic identity. Therefore, the absence of a representative government in Pakistan compelled ethnic communities such as Bengalis, Sindhis and Balochis to vehemently speak for their rights.

With the passage of time, exclusive preference for Punjabis in the central administrative structure gave rise to cryptic criticism of Punjabis from other ethnic groups of Pakistan. In East Pakistan, everyone who came from West Pakistan was attributed as 'Shala Punjabi'.⁽⁵⁴⁾ In the pre-partition period, British preferred to recruit Punjabis. They were considered reliable and non-nationalist recruits who could not bolster a perceived threat from Afghanistan.⁽⁵⁵⁾

Interviews with various army officers, who served in East Pakistan, highlight the fact that West Pakistanis civil and military officers considered East Pakistan as a colony of Pakistan. Ayub Khan has written in *Friends not Masters* that Bengalis are aggressive owing to their prolonged suppression by the ruling elite.⁽⁵⁶⁾ Aggression often breeds in the lap of injustice. If one assumes that Bengalis were aggressive, owing to the 'nurture' they had, then they might have been given more importance by the State. Charles Dickens (*Great Expectation*) has rightly said that, "there is nothing so finely perceived and so finely felt, as injustice."

From 1960s onwards, East Pakistan's struggle for provincial autonomy became more pronounced. Pakistan was unable to accommodate the centrifugal movement of East Pakistan as it was not democratic.⁽⁵⁷⁾ The East Pakistan movement was nothing but a sheer outcry of dissatisfaction from the Centre.

The 'Ayubocracy' – The 1962 Constitution

In 1959, Ayub launched the system of Basic Democracies. He proclaimed that, "it was basic in so far as the whole structure was to be built from the ground upwards."⁽⁵⁸⁾ In Ayub's opinion, "it was democratic in the sense

that the affairs of the country were to be entrusted to the people within a constitutional framework.”⁽⁵⁹⁾ Through this system, Ayub revived local governments as the only representative tier of the government, much like the British colonialists.

The most controversial aspect of this system was its misuse by Ayub to legitimize his essentially presidential constitution of 1962. Habib Jalib convincingly expressed his dissatisfaction with the presidential constitution of 1962 in the following verses,

*Aisay dastoor ko [This Constitution]
subah e benoor ko [This Lightless Morning]
main nahin manta [I do not accept]
main nahin janta....[I do not recognize] ⁽⁶⁰⁾*

The constitution of 1962 gave unprecedented powers to the armed forces through the office of the President. In the 1962 Constitution, the newly installed 80,000 Basic Democrats were declared as the Electoral College for electing the president and national and provincial assemblies.⁽⁶¹⁾ The Basic Democracies system had been designed to defend the Centre from challenges waged by the political parties at the provincial level.

Thus Ayub became Pakistan in his very being. He was the elected President by himself. Zulfikar Ali Bhutto later called these Basic Democracies as “Basic Fascism.”⁽⁶²⁾ Interestingly, soon after the announcement of the ‘Basic democracies’ system, Ayub Khan propagated his ‘democratic’ idea by travelling in train throughout West Pakistan. He named his train ‘Pak Jamhoriyat Special.’⁽⁶³⁾ Ayub called it ‘a blending of democracy with discipline, the two prerequisites to running a free society with stable government and sound administration.’⁽⁶⁴⁾ For him, the political system needed to be ‘controlled’. He writes in *Friends not Masters*:

It would be appropriate to reiterate the fact that our eventual aim must be to develop democracy in Pakistan, but the type that suits the genius of our people. Our people are mostly uneducated, and our politicians not so scrupulous. The people are capable of doing great things, but they can also be easily misled. Unfettered democracy can therefore prove dangerous especially nowadays when communism from within and without is so quick to make use of weaknesses. We therefore have to have a controlled democracy with checks and counter checks.⁽⁶⁵⁾

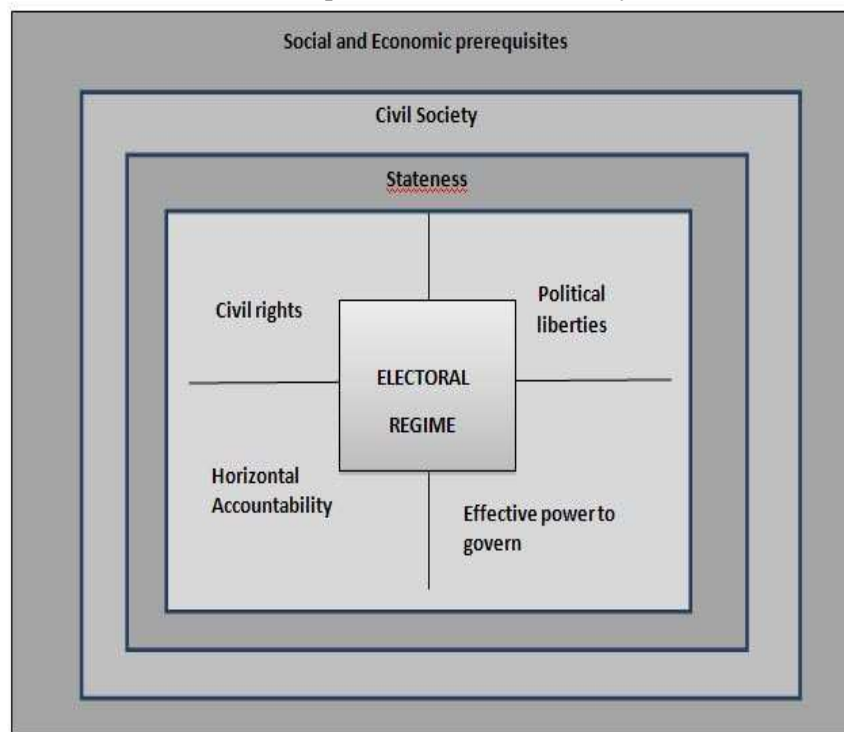
Ishtiaq Ahmed in his book, *Pakistan: A Garrison State*, aptly refers to Laswell’s observation that “the specialists on violence emphasize their role as custodians of national interest and a political system that sought to control people.”⁽⁶⁶⁾ Ayub Khan appointed Monem Khanas the Governor of East Pakistan on 25th October 1962 (1962 to 1968). He “ruled East Pakistan with a ruthless hand, carrying out the grotesque undemocratic and autocratic plans and policies on behalf of Ayub Khan.”⁽⁶⁷⁾ Monem Khan assumed the office of the Governor from Lt Gen Azam Khan. Ayub Khan felt threatened by Governor Azam Khan

as he was highly respected in East Pakistan. “Don’t go, Azam! Come back, Azam! ... don’t leave us like orphans; we had great hope in you”, were the words of people of East Pakistan on Azam Khan’s farewell.⁽⁶⁸⁾ If only Azam Khan’s tenure had been extended, East Pakistan could have been saved.

For an analysis of what exactly is a democratic system and how it protects the rights of citizens of a country, it is imperative to mention here the concept of ‘embedded democracy’ presented by Merkel Wolfgang in 2003. According to him:

The concept of embedded democracy follows the idea that stable constitutional democracies which are embedded in two ways. Internally, the specific interdependence/independence of the different partial regimes of a democracy secures its normative and functional existence (Figure) externally these partial regimes are embedded in spheres of enabling conditions for democracy that protect it from outer as well as inner shocks and destabilizing tendencies.⁽⁶⁹⁾

The concept of embedded democracy⁽⁷⁰⁾



Source: Adapted from Merkel Wolfgang, in *Defective Democracies*, 2004

Democracy consists of five partial regimes: a democratic electoral regime, political rights of participation, civil rights, horizontal accountability, and the guarantee that the effective power to govern lies in the hands of democratically elected representatives.⁽⁷¹⁾

The constitution of 1962 established 'Ayubocracy' in the country. Absence of fair elections right from 1947 to 1970 led to an era of non-representative decision-making in the country. In the words of Dr Safdar Mehmood, President Ayub Khan was solely responsible for the country's administration.⁽⁷²⁾ The president was constitutionally all-powerful in the appointment and dismissal of ministers, governors and civil administration. Except for judges of the High Courts and the Supreme Court, all his appointees were directly answerable to him. Pakistan's budget was divided constitutionally between "Committed" and "New Expenditures". The President had 'unfettered' power over the Committed Expenditure. There was another 'Unexpected Expenditure' chargeable by the President on his discretion from the Central Consolidated Fund.⁽⁷³⁾

As far as legislation was concerned, the National Assembly was empowered to legislate for the Central Subjects of Pakistan and matters falling under provincial jurisdiction. However, the President was authorized to issue ordinances by having the force of the Act of the Central Legislature.⁽⁷⁴⁾ The constitution of 1962 vested dictatorial powers in the president, who "virtually commanded the political system."⁽⁷⁵⁾ Ayub's philosophy of 'invincible me' for the country might be judged as "personal" expedition, rather than "societal."⁽⁷⁶⁾ Lawrence Ziring calls it a "great leader" syndrome that had permeated society and political life in Pakistan. "Great leaders were not above reproach, but they were great and they commanded obedience."⁽⁷⁷⁾ A presidential referendum was staged on 14th February 1960, in which the Basic Democrats were asked to either mark 'Yes' or 'No' on the ballot paper. Not surprisingly, Ayub Khan was 'elected' as the first President of Pakistan with 95.6 percent votes.⁽⁷⁸⁾

The first test of Ayub's system was a presidential election of January 1965. Disgruntled political forces (Council Muslim League being the strongest in Punjab and Karachi; the Awami League strongest in East Pakistan; the National Awami Party strongest in North-West Frontier Province, standing for the dissolution of One Unit Province, and the fundamentalist Jamat-e-Islami) joined hands against Ayub's dictatorial system. They nominated Fatima Jinnah as their presidential candidate, who was the sister of Muhammad Ali Jinnah and enjoyed deep respect from all quarters of life. She was referred to as "Madr-e-Millat" (Mother of the Nation).

It seemed as if Ms. Fatima Jinnah was representing the entire Pakistan, since she enjoyed support from almost all political forces, even from within East Pakistan. Ironically, Ayub Khan defeated Madr-e-Millat by 63.3 per cent votes.⁽⁷⁹⁾ The 80,000 Basic Democrats who were supposed to elect the President for the 'entire' country were easily manipulated.⁽⁸⁰⁾ Had the elections been direct, Ms Fatima Jinnah could have won.⁽⁸¹⁾ There was some outcry of rigging as the entire state machinery was run by Ayub's confidants; nonetheless, and albeit timidly, the election results were accepted.

Contrary to what Jinnah envisaged, autocracy was deeply entrenched in Pakistan's polity. The executive branch, the provincial authorities, the legislature and the department of defence were all under the president. There was no democratic electoral system; political rights to participate in the political

process were constitutionally withheld; civil rights were restricted and agitation was the only way left for the people to voice their grievances. One man's acumen could not deal with the complicated issues brewing within Pakistan. The language controversy, which indicated a crevice in the unity of the country, remained unattended. East Pakistan was left in oblivion.

East-west disparity

The story of Pakistan is the story of ambitious and adventurist generals denying the people their rights.⁽⁸²⁾

— Former Air Martial, Muhammad Asghar Khan, 1983

It might not be wrong to say that Ayub Khan was neglectful of the development of East Pakistan. Some 2.5 billion dollars earned from export of jute and jute related goods produced in East Pakistan were transferred to West Pakistan. In total, East Pakistan's exports constituted 60 to 70 per cent of the State's revenue, and it received just 25-30 per cent of the country's income.⁽⁸³⁾ In addition, nearly two-thirds of the US aid was disbursed in West Pakistan.⁽⁸⁴⁾ Most of the industrial capitalists from India, who had migrated to Pakistan, were settled in Karachi (West Pakistan).⁽⁸⁵⁾ Therefore, Ayub administration's main focus on industrial development was of little or no significance for the highly agrarian society of East Pakistan.

President Ayub, who already had absolute power, also became the chairman of the National Planning Commission. Ironically, he abolished East Pakistan's Planning Board which previously planned for development in East Pakistan.⁽⁸⁶⁾ In the period between 1956 and 1961, in semi-public institutions like the Industrial Development Bank, the share of East Pakistan was just 20 percent; for House Building Finance Corporation, it was only 12 percent of the total; and for Pakistan Industrial Credit and Investment Corporation, it was 24 per cent.⁽⁸⁷⁾ At the time of Ayub Khan, there was a gap of 30 per cent in the per capita income of East and West Pakistan. By the end of the second five year plan (1965), the disparity of per capita income had risen to 45 percent which eventually rose to 61 percent by the end of Ayub's term.⁽⁸⁸⁾

The Gross Provincial Product of the two wings also showed aggravating disparity. In 1949-50, it was 1237.4 crore rupees for East Pakistan and 1209.1 for West Pakistan. However, in the later years, by 1963-64, it grew to Rs1867.1 crore for East Pakistan while Rs.2009 crore for West Pakistan. It meant that the Gross Provincial Product, which was higher in East Pakistan in the early years than that in West Pakistan, eventually grew in West Pakistan and slumped in East Pakistan in the later years (see table 3).

Table3

Per Capita Income for East and West Pakistan		
	West Pakistan (Rs)	East Pakistan (Rs)
1949-50	342	293
1954-55	354	290
1959-60	366	278
1963-64	403	313
1964-65	443	301
1965-66	459	303
1966-67	461	315
1967-68	494	320
1968-69	514	325
1969-70	546	321

Sources: Pakistan Economic Survey, 1969-70. *Performance Statistics of West Pakistan*, April 1969, Government of West Pakistan.⁽⁸⁹⁾

Table 4

Gross Provincial Product (at 1959-60 factor cost, in crores of rupees)								
	East	West	East	West	East	West	East	West
YEAR	1949-50		1954-55		1959-60		1963-64	
Gross Provincial Product (Rs Crs)	1237.4	1209.1	138.6	1010.6	1497.2	1646.7	1867.1	2009.0

Source: Khan and Bergan: "Measurement of Structural Change in the Pakistan Economy: A Review of National Income Estimates", *Pakistan Development Review*, 1966

Even in West Pakistan, it was a generally accepted impression that most of the reward of rapid growth was consumed by a narrow economic elite, which constituted 22 families in Pakistan. This feeling of relative deprivation resulted in a mass political movement that demanded peoples' participation in the political and economic life of the country. "This sentiment was exploited by Zulfikar Ali Bhutto who launched a new political party, the Pakistan People's Party (PPP), promising to bring "Islamic socialism" to the country."⁽⁹⁰⁾

Talking about education, an important indicator of development in a country, the total expenditure on education in united Pakistan increased from less than 1% of GDP in 1947 to 1.2% in 1958 to 2.6% by 1964.⁽⁹¹⁾ However, school infrastructure in East Pakistan sharply declined. For every one thousand school-aged children, there was less than one school in West Pakistan in 1947 compared to three primary schools in East Pakistan.⁽⁹²⁾ In the first decade after independence, primary schools in West Pakistan increased from 8,357 in 1948 to 16,474 in 1958. School availability in West Pakistan doubled in the primary education sector.⁽⁹³⁾

Table 5**Primary education- secondary education in East and West Pakistan number of schools**

	Primary Education		Secondary Education	
	East	West	East	West
1948	29,633	8,413	3,481	2,598
1955	26,000	14,162	3,079	2,264
1960	26,583	17,901	3,053	3,043
1965	27,474	32,589	3,834	4323
1970	28,908	38,900	5694	5600

Source: Mohammad Niaz Asadullah, "Educational Disparity in East and West Pakistan, 1947-71: was East Pakistan Discriminated Against?" Discussion Papers in Economic and Social History, *University of Oxford, Number 63, July 2006*.

The table shows inter-regional differences in growth and in the number of schools, which in turn created disparity in school size. Schools in East and West Pakistan were almost of the same size in 1948. However, soon and particularly after the 1950s, the figures began to diverge.

A rapid increase in population (see table 6) in East Pakistan gave rise to rampant poverty (see table on per capita income). This regressive development was not significantly addressed by the central government.

Table 6**Population growth rate in East and West Pakistan, 1950-75**

Period	East Pakistan	West Pakistan
1950-1955	1.97	1.96
1955-1960	2.25	2.18
1960-1965	2.51	2.32
1965-1970	2.56	2.44
1970-1975	2.57	2.55

Source: Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, *World Population Prospects: The 2002 Revision* and *World Urbanisation Prospects: The 2001 Revision*, <http://esa.un.org/unpp>

Living conditions in East Pakistan were deplorable. Earlier in the Ayub era, East-West Exchange Programme was introduced in the Civil Service of Pakistan. It was overwhelmingly welcomed by the East Pakistanis, but West Pakistanis did not want to be posted to the 'distant' and underdeveloped wing. Eventually, it was abandoned under pressure from influential bureaucrats in West Pakistan. However, it was again revived in the last years of the Ayub era.⁽⁹⁴⁾

Notwithstanding the worsening condition in East Pakistan, the government under Ayub focused all its resources on Defence. In those eleven years, Pakistan allocated 60.69 per cent of its budget for Defence.⁽⁹⁵⁾ If in today's Pakistan, Punjab gets a lion's share from funds allocated to provinces

owing to its large population, then why was East Pakistan, being the most populous province of the country, deprived of its rightful share?

Towards the end of ‘United Pakistan’

War of 1965 to the Six points of Mujib

The war of 1965 blatantly exposed the sheer neglect of East Pakistan by the central government. East Pakistan was left defence-less during the war. It further fuelled their feelings of hatred for West Pakistanis. A Bengali jurist Kamal Hossain says that during the war of 1965, the eastern wing had experienced a “sense of isolation; it felt exposed and undefended.”⁽⁹⁶⁾ East Pakistan had no security arrangement, when India decided to move its armies in the 1965 war.⁽⁹⁷⁾

Within the system, East Pakistanis ostensibly failed to secure their rights of economic and social betterment. The Awami League tried to support a political change by backing Ms. Fatima Jinnah as a presidential candidate, but it was of no avail under the prevalent ‘Ayubocracy’ in the country. From 1966 onwards, utter dissatisfaction against the central government grew and resulted in a powerful demand for parliamentary democracy and direct elections. Politicians like Mushtaq Ahmed Gurmani, Chaudhary Muhammad Ali, Mian Mumtaz Daultana and Nawabzadda Nasrullah Khan tried to persuade Sheikh Mujib to join them in their struggle against Ayub, but he preferred to speak ‘alone’ for provincial autonomy.⁽⁹⁸⁾

Tajuddin Ahmed, the then General Secretary of Awami League, formulated the demand for greater autonomy of East Pakistan. Finally after consultations amongst Manik Mian (Touffal Hossain), Sheikh Mujib and Tajuddin Ahmed, the recommendations for greater autonomy were grouped in a composite ‘Six Point Programme.’⁽⁹⁹⁾ The English version of the six points were drafted by a Bengali civil servant Rahul Quddus, who was later accused in the Agartala conspiracy case.⁽¹⁰⁰⁾

The six points called for making Pakistan a federation with a parliamentary system, with supremacy of the Legislature directly elected on the basis of universal adult franchise. The Central government was to maintain Defence and Foreign Affairs, where all other matters would be dealt in federating units. Both wings would have two separate currencies easily convertible in each wing. The formula also called for independence in foreign exchange earnings and capital management of fiscal affairs by each wing, provided the requirements of central government are fulfilled through a mutually accepted procedure. The last point called for maintaining a separate paramilitary force for East Pakistan.⁽¹⁰¹⁾

If the points are analyzed with an open mind, they were aimed at humanizing the living conditions in East Pakistan. They were centred on the management of financial resources — a demand that East Pakistan should also get an ample share of its own earnings. Other than that, a provision for maintaining a separate paramilitary force was levelled. It was an even-handed demand as East Pakistan was left defenceless in 1965. The six points did not

mention a separate Supreme Court for East Pakistan, an important pillar of parliamentary democracy, and thus it could have been a federation of Pakistan. In fact, six points, except for the demand of a paramilitary force, were concurrent with the interview given by the Quaid to the *Associated Press of America*.²

According to Ayesha Jalal: “the Awami League’s six points program was a firecracker in the tinderbox of disillusionments in Ayub’s Pakistan.”⁽¹⁰²⁾ The central government and opposition parties perceived the ‘six points’ as a ‘secessionist agenda’. Mulana Bhashni, leader of the National Awami Party, believed that six points would eventually disintegrate the country. He suspected an imperialist intrigue behind the six-point programme.⁽¹⁰³⁾ He inferred Indian involvement in the so-called conspiracy by indicating the involvement of ‘allies’ of imperials in the drafting of the six-points programme.⁽¹⁰⁴⁾

In January 1968, a number of Awami League leaders and East Pakistan officials were arrested allegedly for conspiring with India for bringing about secession in the western wing of Pakistan.⁽¹⁰⁵⁾ It was known as the Agartala Conspiracy case. The Ayub regime arrested 28 people including a naval officer, three senior civil servants and a number of junior military personnel. The official statement issued by the government alleged that the persons engaged in the conspiracy met PN Ojha (First secretary of the Indian High Commission in Dhaka) and visited Agartala in India to discuss plans with two Indian officers.⁽¹⁰⁶⁾ However, R K Yadev, an officer of Research and Analysis Wing of Indian Secret Service (RAW), has indicated in his book, *Mission R&AW*, that Mujib was not an Indian agent but some of the people around him were in contact with the Indian intelligence agency.⁽¹⁰⁷⁾

Sheikh Mujib and some 34 people were tried under the “Defence of Pakistan Rules” Act. Mukarram Hussain, a Bengali academician, said that for East Pakistanis it was another attempt to humiliate the Bengalis by West Pakistanis, as they were “tired” of hearing about the influence of India and Indian culture on the population of East Pakistan.⁽¹⁰⁸⁾ He further says that any criticism against the government’s policies was attributed as an unwarranted influence of ‘infiltrating’ Indian agents.⁽¹⁰⁹⁾ In Autumn 1969, however, Mujib declared that the six points were not the words of Quran and ‘thereby not immutable.’⁽¹¹⁰⁾

By the end of 1969, the whole country was witnessing relentless resentment against the dictatorship of the Ayub regime. Both wings were on fire. The political cauldron was in the making. President Ayub was still adamant to keep the political parties at bay. Major General Khadim Hussain writes in *A Stranger in My Own Country* that in October 1968, during a meeting with the President, when he asked General Ayub a question about negotiating with political parties in opposition, the president retorted, “Which buffoon do I talk to.”⁽¹¹¹⁾

In January 1969, the Central Students Action Council was formed. It immediately launched a country-wide agitation for the withdrawal of the

² Please refer to reference no 8.

Agartala case.⁽¹¹²⁾ They drafted 11 points on the basis of six points, which also included demands for the emancipation of their leaders. This 11-point movement became popular and asserted enough pressure on the Ayub regime.⁽¹¹³⁾ On the other hand, a mass level agitation started in West Pakistan, by various political parties, most notably by Zulfikar Ali Bhutto of the Pakistan People's Party.⁽¹¹⁴⁾ In March 1969, hundreds of students and PPP supporters launched an impressive agitation, bringing the whole province to a halt. Many leaders were arrested and imprisoned in East and West Pakistan.⁽¹¹⁵⁾ Bhutto lashed out by calling the system 'half democratic, half dictatorial, half a war with India, half a friendship with China and resisting America by half.'⁽¹¹⁶⁾

Ayub Khan, weakened by his deteriorating health as well, was finally 'requested' to step down. Chief of Army Staff, Lieutenant General Muhammad Yahya Khan assumed power of the State. When Yahya became Commander-in-Chief in September 1966, he was 52 years old. He jumped over several officers senior to him. He was more than an occasional drinker and was "accused of womanizing."⁽¹¹⁷⁾ It is presumed that General Peerzada, the principle secretary of President Yahya, was the real decision maker, as General Yahya was just, occasionally sober.

Another attempt to tighten the noose — Yahya Khan's martial law

Yahya Khan assumed power and proclaimed that he had no political ambitions other than "the creation of conditions conducive to the establishment of a constitutional government."⁽¹¹⁸⁾ Air Martial Asghar Khan, who personally knew Yahya Khan condemned Yahya's proclamation of martial law by calling it a betrayal of democracy. He further said that General Yahya was, in fact, a 'highly ambitious person.'⁽¹¹⁹⁾

Yahya Khan restored West Pakistan into the original four provinces and abolished the electoral system and called for direct elections on the basis of 'one person-one vote'. A ban was imposed on all political activities and many leaders were imprisoned. However, in January 1970, the ban was lifted. On 28th March, Yahya Khan accepted representation in the National Assembly on the basis of population, giving East Pakistan 169 seats out of 313. He also conceded the federal form of government with maximum provincial autonomy. Yahya Khan provisioned that the National Assembly would prepare the constitution within 120 days of its first meeting.⁽¹²⁰⁾

By the end of Ayub era, before the announcement of elections, the situation in East Pakistan became extremely volatile. Soldiers of Pakistan army were attacked by an angry mob of Bengalis. Therefore, army personnel were instructed to move in groups along with their weapons.⁽¹²¹⁾ Sadly, aggrieved Bengalis attacked Biharis, in order to punish them for being sympathetic to the West Pakistanis (the so-called colonial power). The anger against West Pakistan was at its peak before the elections. In October 1970, Pakistan was to experience its first direct elections. However, the elections were delayed; the coastal areas of East Pakistan had been struck by a cyclone.

The 1970 cyclone: Another Moment of Neglect

In November 1970, East Pakistan was hit by a disastrous cyclone. Some 500,000 people living in the swaths of the coastal areas of East Pakistan were estimated to have died.⁽¹²²⁾ It was a grave national calamity. Ironically, the central government tardily and ineptly handled the victims in East Pakistan. The help from central government reached after 10 days of the disaster. People were hungry and homeless; many were struggling to survive by eating leaves.

It is important to note that the communication system between the two wings was also inefficient at that time. When the question about delay in sending aid to East Pakistan is asked to army officers of that time, they retort by saying that disaster was not that deadly and casualties were exaggerated for seeking sympathy. It is quite possible that the West Pakistani establishment might have remained unaware of the actual situation of the post-cyclone East Pakistan.

International response to the tragedy was overwhelming. India, US and other countries sent volunteers as well as items of daily usage for the East Pakistanis.⁽¹²³⁾ Some of the foreign aid that was shipped to Karachi never reached East Pakistan.⁽¹²⁴⁾ Yahya Khan half heartedly ordered the military to establish relief camps in the cyclone-hit areas. Shahid Hussain, a civil servant appointed to distribute aid in Bhola island of East Pakistan, is of the view that many soldiers from Pakistan army refused to handle Bengali dead bodies. The culmination of these adverse sentiments in Bengalis resulted in a revolting public verdict. Awami League won a land-sliding victory in the first direct national elections of December 1970.

December 1970 Elections — Poles apart

The first ever direct elections in Pakistan were held in December 1970. In sharp contrast, the first direct elections in India were held in 1951-52. In East Pakistan, the leading political party was Awami League. In the four provinces of West Pakistan, the leading party was the Pakistan People's Party. Other parties like the National Awami Party (led by Molana Bhashani), the Pakistan Democratic Party, the three factions of the Muslim League (Council, Convention and Qayyum), Jamat-e-Islami, Jamiat Ulema-e-Pakistan also contested the elections.

None of the political parties were represented at the national level. Both popular parties (the Awami League and the Pakistan People's Party) employed province -level politics. Owing to the autocratic system, there was a complete political vacuum at the Centre. The election results were a revolting outcry against the centralized system. Out of 300 general seats, 162 were allocated to East Pakistan. The Awami League won the majority seats (160) in East Pakistan. In West Pakistan, out of 138 allocated seats, 81 seats were won by the People's Party.⁽¹²⁵⁾ The turnout in the entire country had been 59.8 per cent. The turnout in East Pakistan was 56.9 percent.⁽¹²⁶⁾ However, Sharmilla Bose in her book, *Dead Reckoning*, says that as only 56 electorate in East Pakistan voted, it meant that 42 per cent voter voted for Awami League.⁽¹²⁷⁾

Yahya Khan was not prepared for such results; he was briefed by 'secret agencies' that due to differences amongst the political parties, there would be a 'hung' parliament.⁽¹²⁸⁾ He thought that he would easily rule the country, given the weak position of the political setup. Major General Raja Khadim Hussain in his book also acknowledges the meddling of secret agencies in political affairs.⁽¹²⁹⁾ Lured by the faulty reports of secret agencies, the Yahya administration was a bit loose on setting the stage for first direct elections.

Pakistan at that time was nothing but an embedded autocracy, where every move of the political actors, journalists, media persons was ruthlessly under the sceptical eye of the secret agencies. Crime, in those days, was construed as anything that spoke against the army and 'their' government.

Elections 1970: Were they rigged?

In the general perception, the elections of 1970 are considered as free and fair. Interestingly, the personal account of Raja Khadim Hussain, who was Deputy Martial Law Administrator in East Pakistan, revealed that the Awami League had its "hooligan elements" as an effective weapon against the political opponents. They were successful in intimidating Muslim League leaders like Nurul Amin, Abdus Sabur Khan, Fazlul Qader Chaudhry and Maulvi Farid Ahmed.⁽¹³⁰⁾ Whenever they organized public meetings, the miscreants of the Awami League disrupted the meetings.

Brig (ret'd) Bashir Ahmed, who was serving as a Lieutenant Colonel in the 14 Division under Major General Khadim Hussain, seconds the information regarding the 'militant wing' of the Awami League.⁽¹³¹⁾ He is also of the view that elite in East Pakistan was in favour of Awami League.⁽¹³²⁾ On the contrary, it is also reported that the martial law officers of the Eastern command were asked to weaken the Awami League's support. Lt Col SD Ahmed, a martial law officer, confided to Brigadier A R Sadiq that, 'he had Rs.5 million to play with' before the elections of 1970.⁽¹³³⁾

It is also evident that owing to a huge wave of support for the Awami League, none of the tactics of control by the embedded autocratic system could work. The unexpected results of elections perturbed the Yahya administration. Therefore, in January-February 1971, Operation Blitz was conceived. The main aim of the operation was to postpone the convening of the National Assembly, to ensure the reversion of martial rule and impose a ban on all political activity. Bhutto proposed in February that there can be two solutions to the crises: the postponement of the National Assembly session or the removal of the 120-day limit to draft constitution.⁽¹³⁴⁾ Ironically, US Ambassador Farland informed Washington on 28th February 1971 about his detailed meeting with Mujib in which Mujib proposed a Confederation between East and West Pakistan.⁽¹³⁵⁾ The rulers in Pakistan, however, did not pay heed to the proposed solutions in an attempt to avert the impending crisis.

The National Assembly was to be summoned on 3rd March 1971. Yahya announced on 1st March that following the disagreement of the two main parties, i.e. the Awami League and People's Party, the National Assembly session was being postponed for an indefinite period. Governor Ahsan of East

Pakistan suggested to Yahya Khan that the postponement of the National Assembly session would be devastating; in response, he was ousted from the post.⁽¹³⁶⁾ Lt General Sahabzada Yaqub Khan, the commander of the Eastern Command at that time, was wary of using force against the citizens of Pakistan; he was also replaced by General Tikka Khan, the hardliner. Bhutto, the charismatic one, who was alleged to have implicit support of the military establishment, announced that he would not attend the National Assembly session.⁽¹³⁷⁾

The end result of 'embedded autocracy' — A political rupture

Antagonized by the inflexible and strict attitudes of the military government and adamant stance of Bhutto, Mujibur Rehman called for a Non Cooperation Movement (1st March-25th March) in East Pakistan. He proclaimed six points as the 'property of people' and non-negotiable. Bangabandhu announced a three-pronged agenda: A total strike on 2nd March 1971, a countrywide strike on 3rd March and a public meeting on 7th March 1971.⁽¹³⁸⁾ On 3rd March 1971, a mammoth gathering of people responded to Sheikh Mujib's call. Sadly, army personnel opened fire on the procession, killing 7 and injuring 29 people.⁽¹³⁹⁾ This opening of fire by the 'occupation forces of West Pakistan' added fuel to the already aggravated situation in East Pakistan.

Administratively, all organs of the state machinery in East Pakistan reported to Sheikh Mujib's General Headquarters for instructions. Amidst quasi-military action, against the rightful demands of East Pakistanis, a series of negotiations started between Sheikh Mujib and Bhutto. Mujibur Rehman was wary of the military administration, he proposed to Bhutto that he can have West Pakistan, while East Pakistan should be handed over to him.⁽¹⁴⁰⁾

By 25th March 1971, a settlement was reached between the two, over the issues of foreign exchange and economic policies.⁽¹⁴¹⁾ There was some disagreement about the name that whether it shall be 'Confederation of Pakistan' or 'Union' of Pakistan, but it was left for the final round of discussions between General Yahya and Sheikh Mujib.⁽¹⁴²⁾ Before the discussions could continue, and become conclusive, preparations for 'Operation Searchlight' were underway.

Operation Searchlight, drafted by Major General Rao Farman Ali and Major General Khadim Hussain, was revealed to General Hamid and General Tikka Khan on 20th March. Kamal Hussain, who was part of negotiating team from the Awami League, writes in his book *Bangladesh: Quest for Freedom and Justice* that on 23rd March, President Yahya Khan was supposed to attend the discussion held between Awami League and People's Party, but instead he attended the 'Generals meeting'.⁽¹⁴³⁾ It simply showed that the military establishment was not serious in negotiations. Even before the elections in December 1970, a general told his fellow officers that "we will not allow those black bastards to rule over us".⁽¹⁴⁴⁾ How could negotiations have worked in such a context? The military of any country is trained to launch operations alone, and not expected to steer the country out of political crises. In the *Dictionary of Social Sciences*, the word politician is defined as:

The term politician is most commonly used to refer to a person actively engaged in the struggle for governmental power and/or office, whose success largely depends upon the favour of others and who, to achieve success must therefore be skilled in the arts of persuasion, negotiation and compromise.⁽¹⁴⁵⁾

The above definition clearly illustrates that it is the politician who negotiates and reaches a compromise; his power lies in his being good with the people. On the contrary, a soldier can only use tactics of fear and intimidation in order to 'resolve' any issue. India, which is far more complexly heterogeneous than Pakistan, cautiously kept its military out of politics. Indian leaders knew that only democracy can keep them united.

Stephen Cohen notes that Indian military plays no role at all in the decision-making process of India. Careful observation of the Pakistan military and US military linkages made Indian leaders more cautious. It is an established norm in India that contacts of Indian armed forces with other countries are 'strictly controlled'. In the Pakistan of 1971, those who were incapable of making a political breakthrough were the decision makers for the entire nation. Therefore, not surprisingly, on the night of 25th March 1971, the Pakistani army launched an operation against its own people, those whom they had once vowed to protect.

Operation Searchlight — when defenders became killers

The product of an autocratic regime, an incompetent Army Chief, Yahya Khan, plunged the country into an intra-state war. Hassan Abbas has rightly said that, "Yahya's disrepute was Ayub's insurance against a grab for power."⁽¹⁴⁶⁾ Military operation against one's own people was a difficult task. Therefore, various Pakistan army soldiers were 'briefed' by their officers that they were dealing with the non-Muslims.⁽¹⁴⁷⁾ The story of fierce fighting against your own people is sad and painful, and calls for repentance.

A bloody fight went on from 25th March 1971 to 16th December 1971. The debate on 'how many were killed' is a callous approach to the biggest human tragedy in the history of Pakistan. Unjust killing of one human is the killing of entire humanity. It is interesting to note that even in November 1971, Mujib through a US Counsel, offered to negotiate with the military establishment.

In November 1971, India jumped into Pakistan's 'internal matter'. Of course the 'chance' to do so, was provided by Pakistan. It is evident that India started its malicious campaign against Pakistan from 1968 onwards when political turmoil in Pakistan was at its highest peak. Mujibnagar, a headquarters for the dissemination of information on the part of the Awami League was established in India. India played the role of a midwife in the creation of Bangladesh.⁽¹⁴⁸⁾ Mukti Bahini received all its training and weapon procurement from India.⁽¹⁴⁹⁾

India is accused for intervening in Pakistan's 'internal' affairs, but one might ask, were the Pakistani decision makers capable of resolving the issue? When Pakistan was on the verge of collapse, before General Niazi laid down his

weapons, he smuggled betel leaves to his son Habib Ullah in the Western wing on an official aircraft.⁽¹⁵⁰⁾ Brig Bashir (ret'd) is of the view that General Niazi was not capable of being promoted to rank of a colonel.⁽¹⁵¹⁾

Pakistan was dismembered; for many, it was nothing short of amputating one's own arm, but for many of the Generals it was a failed military mission. Even now, rather than debating why this tragedy happened, many discussions are focused on strategic and plan failures in the 'war' of 1971. Embedded autocracy in the heterogeneous society of Pakistan led to this self-amputation. The pain of this tragedy will continue to be felt through the coming generations of Pakistan.

The blame game often highlights Bhutto and Mujib as being responsible for failure in the talks. But it was not an individual, but a systemic failure. Charismatic personalities emerged out of this systemic shortfall. Bhutto and Mujib only voiced the grievances of people emboldened by a non-representative system in Pakistan.

Concluding reflections

On 16th December 1971, when the ruler of Pakistan, General Muhammad Yahya Khan was having a party at his Peshawar residence, Pakistan got dismembered.⁽¹⁵²⁾ East Pakistan became Bangladesh. It was a moment of amputation for the nation, but there was no one at the helm of power with whom the people could share the pain. Bhutto alluded in West Pakistan, after the Pakistani army's suppression of East Pakistanis, "Thank God, Pakistan has been saved."⁽¹⁵³⁾

It was certainly not saving. It was nothing short of leaving the people of the country defenceless against the army of that very country. On the eve of 25th March 1971, Operation Searchlight was launched in East Pakistan. Eventually, the dark and merciless night of violence fell upon the eastern province of Pakistan. The Pakistani army opened fire against their fellow citizens, many Bengali women were sexually assaulted and Bengalis in revenge brutally killed many soldiers of the 'occupation forces,' as well as Biharis for allegedly being sympathetic to West Pakistan. Ten million East Pakistanis fled to India.⁽¹⁵⁴⁾ Some analysts believe that the use of force by the State against its own people, who were just demanding their constitutional right, could have been avoided. The East Pakistan tragedy is and will continue to be a tormenting question in academic debates.

However, considering the above discussion, it can be said that Pakistan is bound to dysfunction under the military rule; scathing consequences can occur if it is ever-indulged in autocracy. For maintaining the integrity and solidarity of the 'remaining' country, democratic institutions need to be strengthened, and any misadventure by the military might be strictly opposed. The tragedy of East Pakistan is the result of a systemic failure. Each step taken under the autocratic regime of Ayub led to the secessionist outfall. Some analysts believe that East Pakistan was destined to secede given the geographical distance of a thousand miles. However, it might be argued that if it was to secede, then it could have been a graceful separation. But a political solution could only have been

possible if politicians were the decision makers. Alas, this wasn't the case in the Pakistan of 1971.

The presence of a charismatic leader in dissatisfied East Pakistan resulted in the making of a centrifugal movement. If in the heterogeneous society of Pakistan, the government remains unrepresentative and the provinces are not given their rights, more episodes of secession might occur. All a dissatisfied province needs is a charismatic leader. Dissatisfaction renders solidarity among the deprived and hence, an agitation starts under a leader of the oppressed. It is therefore necessary for a country to concentrate its energies on strengthening the institutions that may fairly address the grievances of the people, without any discrimination.

In the autocratic regime of President Ayub, civil liberties were under strict control, political activity was discouraged, the electoral process was nothing but a sham, and accountability of the powerful military or civil bureaucracy was out of question. The Ayub regime exercised maximum power to govern; though he might have been a nationalist and urged betterment for the country, yet his insistence for strict conformity in the form of centralization led the country to anarchy.

Economic development under President Ayub benefited a few. In his last decade, both the wings — East and West — exalted their extreme disapproval for the economic policies in the country. Poor in East Pakistan became poorer day by day. Bhutto's slogan for 'Roti, Kapra aur Makan' attracted huge crowds in West Pakistan.

In the 1970 elections, the political cauldron revealed itself in the form of contrasting voter aspirations from both wings. The situation was perplexing and needed keen analysis and understanding on part of the authorities to avoid bloodshed. Unfortunately, those who could do that were restricted to the provinces and the Central authority was in the hands of 'soldiers' who were 'trained' to fight. And they fought.

On the merciless night of 25th March 1971, when all the preparation for battle were complete, the military operation was launched. Turning back on all previous efforts on negotiations, a civil war erupted in Pakistan. Defenders became killers and citizens took up arms against their defenders. It is indeed an unforgettable tragedy.

In light of this discussion, one might argue that Pakistan's salvation lies in democracy. In the case of Pakistan, it is quite appropriate to say that even the worst kind of democracy is better than best kind of dictatorship. During dictatorial regimes, Pakistan faced full-scale wars (1965 and 1971) against India, it got dismembered and it got involved in today's war against terrorism.

In Pakistan, every experiment with autocracy (1958, 1970, 1977 and 1999) ended with mass level protest. Therefore, justification of a military coup on the basis of 'threat to national integrity' is retroactively faulty. The secret for national solidarity lies in the doctrine of welfare of the people, and it can only be achieved if democracy effectively functions, public institutions are strengthened and the rights of people are protected. Without changing the plight of the people, national cohesion can never be achieved.

Appendix**THE TEXT OF THE SIX-POINT FORMULA AS ORIGINALLY PUBLISHED, AND
SUBSEQUENTLY AMENDED IN THE AWAMI LEAGUE'S MANIFESTO****Point No. 1****Original**

The Constitution should provide for a Federation of Pakistan in its true sense on the basis of the Lahore Resolution, and Parliamentary form of Government with supremacy of the Legislature directly elected on the basis of universal adult franchise.

Amended

The character of the government shall be federal and parliamentary, in which election to the federal legislature and to the legislatures of the federating units shall be direct and on the basis of universal adult franchise. The representation in the federal legislature shall be on the basis of population.

Point No.2**Original**

Federal Government shall deal with only two subjects, viz: Defence and Foreign Affairs, and all other residuary subjects shall vest in the federating states.

Amended

The federal government shall be responsible only for defence and foreign affairs and, subject to the conditions provided in (3) below, currency.

Point No. 3**Original**

A. Two separate but freely convertible currencies for two wings may be introduced, or B. One currency for the whole country may be maintained. In this case effective constitutional provisions are to be made to stop flight of capital from East to West. The Pakistan. Separate Banking Reserve is to be made and separate fiscal and monetary policy to be adopted for East Pakistan.

Amended

There shall be two separate currencies mutually or freely convertible in each wing for each region, or in the alternative a single currency, subject to the establishment of a federal reserve system in which there will be regional federal reserve banks which shall devise measures to prevent the transfer of resources and flight of capital from one region to another.

Point No. 4**Original**

The power of taxation and revenue collection shall vest in the federating units and that the Federal Center will have no such power. The Federation will have share in the state taxes for meeting their required expenditure. The Consolidated Federal Fund shall come out of a levy of certain percentage of all state taxes.

Amended

Fiscal policy shall be the responsibility of the federating units. The federal government shall be provided with requisite revenue resources for meeting the requirements of defence and foreign affairs, which revenue resources would be automatically appropriable by the federal government in the manner provided and on the basis of ratio to be determined by the procedure laid down in the Constitution. Such constitutional provisions would ensure that the federal government's revenue requirements are met consistently with the objective of ensuring control over the fiscal policy by the governments of the federating units.

Point No. 5**Original**

(1) There shall be two separate accounts for foreign exchange earnings of the two wings, (2) earnings of East Pakistan shall be under the control of East Pakistan Government and that of West Pakistan under the control of West Pakistan Government, (3) foreign exchange requirement of the Federal Government shall be met by the two wings either equally or in a ratio to be fixed, (4) indigenous products shall move free of duty between two wings, (5) the Constitution shall empower the unit Governments to establish trade and

commercial relations with, set up trade missions in and enter into agreements with, foreign countries.

Amended

Constitutional provisions shall be made to enable separate accounts to be maintained of the foreign exchange earnings of each of the federating units, under the control of the respective governments of the federating units. The foreign exchange requirements of the federal government shall be met by the governments of the federating units on the basis of a ratio to be determined in accordance with the procedure laid down in the Constitution. The Regional governments shall have power under the Constitution to negotiate foreign trade and aid within the framework of the foreign policy of the country, which shall be the responsibility of the federal government.

Point No. 6

Original

The setting up of a militia or a paramilitary force for East Pakistan.

Amended

The governments of the federating units shall be empowered to maintain a militia or Paramilitary force in order to contribute effectively towards national security.

Notes and References

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2. Sharmilla Bose, *Dead Reckoning, Memories of the 1971 Bangladesh War* (London: Hurst & Co Publishers Ltd, 2011).
3. Zulfikar Ali Bhutto, *The Great Tragedy*, (Lahore: Agha Amir Hussain Publisher).
4. M. Bhaskaran Nair, *Politics in Bangladesh: A Study of Awami League, 1949-58* (New Delhi: Northern Books, 1990), p.36.
5. Abida Shakoor, *Congress-Muslim League Tussle: 1937-40; a Critical Analysis* (New Delhi: Aakar Books, 2003) p.175-176.
6. "You are free; you are free to go to your temples, you are free to go to your mosques or to any other place of worship in this state of Pakistan. You may belong to any religion or caste or creed that has nothing to do with the business of the state. ... We are starting with this fundamental principle that we are all citizens, and equal citizens, of one state."—Quaid-e-Azam's address to the Constituent Assembly.
7. Taj M Khattak, "Ghosts of December", *The News*, 6 December, 2014.

Vice Admiral Taj M Khattak has described the ideological confusion prevalent in Pakistan in the following words:

"The West Pakistani's notion of Pakistan was inseparable from the Muslim nation of the Subcontinent, a nation locked in combat with Hindus. For them safeguarding the Indian Islamic heritage, exemplified by Allama Iqbal's poetry, in which Urdu played a major role, was what Pakistan meant above all. On the other hand, for the East Pakistani, Pakistan was primarily a place where Muslims would rule and be secure from Hindu domination. Their view of their Bengali identity and language [were also] exemplified by nationalistic poetry of Rabindranath Tagore, would contribute to the Pakistan they believed in, which differed significantly from the perception of their West Pakistani compatriots."

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12. Cited in Ian Talbot, *Pakistan: A Modern History*, (London: Hurst, 1999), p.90.
13. Owen Bennett Jones, *Pakistan: An Eye of the Storm* (New Haven: Yale University Press), p.109.
14. Chapter by Akbar S Ahmed, p.141 in Victoria Schofield, (eds) *Old Roads New Highways, Fifty Years of Pakistan*, (Oxford University Press, Karachi, 1997).
15. Koshick Roy, *The Army in British India from Colonial Warfare to Total War 1957-1947*, (London: Bloomsbury Academy), p.78.
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20. Ibid.

21. Bengali language in Encyclopaedia Britannica and see Laal Waaz, *History of Urdu Language* (Delhi: Mujtabai Press, 1920).
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23. Constituent Assembly Debates, 24th February 1948, pp.6-7, Cited in Sucheta Ghosh, *Role of India in the Emergence of Bangladesh* (Calcutta: Minevra Associates Pvt Ltd, 1983), p.14.
24. Rafique Afzal, Selected Speeches and Statements of the Quaid-e-Azam Mohammad Ali Jinnah (1947-48), (Lahore Research Society of Pakistan, 1980), pp.85-86.
25. Cited in "Jinnah Speeches and Statements 1947-1948" Millennium edition, (Karachi: Oxford University Press, 1999), p.150 and 158.
26. CIA Fact files.
27. Clarence Maloney, *Language and Civilization Change in South Asia*, (eds) (Netherlands: Brill Leiden, 1978), p.147.
28. Hamida Khuhro *The Ayub Khan Era: Politics in Pakistan 1958-1969*, by Lawrence Ziring *Modern Asian Studies*, Book Review, Volume 6, Issue 02, March 1972, pp.248-255.
29. Ibid.
30. Ibid.
31. Hasan Zaheer, *The Rawalpindi Conspiracy 1951 — The First Coup Attempt in Pakistan*, (Karachi: Oxford University Press, 1998), pp.210- 215.
32. Ishtiaq Ahmed, *Pakistan: The Garrison State*, (Karachi: Oxford University Press), p.100.
33. He was a founding member of All India Communist Party and later in 1949, Communist Party of Pakistan.
34. One of Khan's confidants, Ali, who was a police officer, reported the whole plan to the IG Police who, through the Governor of NWFP, brought the plan to the knowledge of the Prime Minister. The case began in the court. According to the law, the conspiracy could only be established if there was an agreement on the plan. Since, no agreement was reached, therefore, it was not dealt as conspiracy. After months of trial, finally, the court declared its judgment. The civilians and the junior army officers were sentenced for four years in jail and Major General Akbar Khan for 14 years. Estelle Dryland, "Faiz Ahmed Faiz and the Rawalpindi Conspiracy Case" *Journal of South Asian Literature*, Vol. 27, No. 2, Perspectives on Socialist Realism in Asian Literature (Summer, Fall 1992), pp.175-185.
35. Ibid.
36. Safdar Mehmood *Pakistan, Political Roots and Developments*, (Karachi: Oxford University Press, 2000) p.43.
37. 165+10= 175, 135+40=175
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47. See for details, ML Ahuja, *Handbook of General Elections and Electoral Reforms in India, 1952-1999*, (New Delhi: Mital Publications, 2000).
48. *The Dawn*, 18 January 1956.
49. Interview Brigadier (ret'd) Zahid. (He was a Captain posted at Comilla, Chittagong in 1970-71), 5 November 2014.
50. Cited in Feroz Khan, *Eating Grass: The Making of the Pakistani Bomb* (California: Stanford University Press, 2012), p.72.
51. Hassan Abbas, *Pakistan's Drift into Extremism: Allah, the Army, and America's War on Terror*, p.35.
52. Stanley Wolpert, *Zulfi Bhutto of Pakistan*, p.58.
53. Kamal, "*Bangladesh: Quest...*," ref.1, p. 11.
54. Khadim, "*A Stranger...*," ref.1, p.15; Interview with Nasir Zaidi, journalist at Jung Newspaper (June 2014).
55. See, Ian Talbot, "The Punjabization of Pakistan" in Christophe Jaffrelot, (eds) *Pakistan: Nationalism without a Nation*, (Lahore: Vanguard Books, 2002).
56. Ishtiaq, "*Pakistan A Garrison State*," ref. 32, p.117 and 210.
57. Christophe, "*Pakistan: Nationalism...*," ref.46, p.20.
58. Ayub's autobiography, pp.233-35.
59. Ibid.
60. Verses by Habib Jalib (Urdu Poet), to express deep refutation for Ayub's constitution of 1962.
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62. Stanley, "*Zulfi Bhutto...*," ref.52, p.60.
63. Lawrence Ziring, p.258.
64. Ayub Khan, *Friends not Masters*, p.216.
65. Ibid, p.212.
66. Ishtiaq, "*Pakistan a Garrison State*," ref.32, p.118.
67. Salahuddin Ahmed, *Bangladesh Past and Present*, (New Delhi: APH Publishing Corporation, 2004) p.156.
68. "Learning from Gen Azam's example", *Dawn*, 17 May 2012.
69. Merkel Wolfgang, *Embedded and Defective Democracies*, 2004 Available at: <http://homepage.univie.ac.at/vedran.dzihic/merkel_embedded_democracies_2004.pdf>.
70. Figure adapted from Merkel Wolfgang, *Embedded in Defective Democracies*, 2004.
71. The electoral regime has the central position among the five partial regimes of embedded democracy, as it is the most obvious expression of the sovereignty of the people, the participation of citizens and the equal weight allotted to their individual preferences. Political rights have the function both of enabling organized democratic elections and of furthering the unorganized pluralistic interests of complex societies. The first two regimes have to be supplemented by Civil Rights. Even more than the institutionalization of mutual checks and balances, civil rights are central to the rule of law. These rights protect the individual against the state executive and against the acts of the elected legislator that infringe on an individual's freedom. For granting civil rights, courts have to serve as an independent authority. They function as constitutional custodians of the legislature and supervisors of executive conformity to law. The fourth partial regime of constitutional democracy comprises the division of powers and resulting 'horizontal accountability. It means that elected authorities are surveyed by a network of relatively autonomous institutions and may be pinned down to constitutionally defined lawful action. In presidential system in which the executive and legislators are each independently legitimized through elections, separation between legislature and executive becomes more obvious. The fifth and last partial regime stresses the necessity that the elected representatives are the ones that actually govern. The criterion of the effective power to govern refers to a feature that may be considered self-evident in old democracies but cannot

be taken for granted in new democracies. This criterion prevents extra constitutional actors not subject to democratic accountability like military from holding final decision making power in certain policy domains. —**Internal Embeddedness**

The partial regimes described can only function effectively in a democracy if they are mutually embedded. Mutual embeddedness implies two things. First, some partial regimes support the functioning of another partial regime – for example the partial regimes ‘political rights’ and ‘civil rights’ support partial regime ‘democratic election’. Second and at the same time, some partial regimes ensure the political actors do not infringe on the functional spheres of another regime, for example the last three partial regimes. Functional and normative interdependence and independence characterize the ‘code of communication’⁴⁰ between the five partial regimes. The balance between them is fragile and varies from democracy to Democracy-Every democracy as a whole is embedded in an environment that encompasses enables and stabilizes the democratic regime. Damage to this environment often results in either isolated defects or destabilization of the democracy itself. The most important of these externally embedding rings are the socio economic context, civil society and the international integration.

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94. Shahid Hussain, *What was Once Pakistan*, p.6.
95. Hasan Askari, “*Military State...*”, ref.78, p 63.
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98. Kamal, "*Bangladesh: Quest...*," ref.1,p.16.
99. For text of six points please refer to Appendix 1.
100. Kamal, "*Bangladesh: Quest...*," ref.1, p18.
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ELECTION COMMISSION, ELECTORAL REFORMS AND DEMOCRACY IN INDIA: LESSONS FOR PAKISTAN

YASIR MASOOD KHAN

Introduction

This paper discusses the complex relationship between the Indian Election Commission, the electoral reforms in the country and democracy in India. Then, the paper endeavours to ponder on the question whether the Indian experience of democracy, which has been facilitated through the Indian Election Commission and an entire history of electoral reforms, offers any vital lessons for strengthening Pakistan's fragile democracy or not. Democracy has been a western political idea to govern the masses within a particular state. The idea of democracy was brought to India through the British colonial rule, which lasted from the end of the Mughal Empire in 1857 to the independence of India and Pakistan from colonial rule in August 1947. The western concept of democracy, which the colonial rulers had superimposed on the colonized population of United India, proved to be most successful in independent India, which became known as the largest democracy in the world from 1947 to present.

Democracy has been a western idea and historically, the various western political thinkers such as Plato, Aristotle, Machiavelli, Thomas Hobbes, John Locke, Jean Jacques Rousseau, Hegel and Marx have deliberated upon it. In his *Republic*,⁽¹⁾ Plato preferred the idea of a 'philosopher king' over that of democracy. He disapproved of direct democracy that prevailed in Athens during his time but his deliberations did not extend to 'representative democracy' of the contemporary times. Once again with Greek city-states in mind, Aristotle⁽²⁾ called democracy the worst form of government. Being a renaissance man, out of his desire for the unification of Italy, Machiavelli too in his *Prince*⁽³⁾ preferred

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the prince to rule the state. Out of his sheer fear of anarchy, Hobbes in his *Leviathan*⁽⁴⁾ preferred the Sovereign to govern. Indeed, it was John Locke⁽⁵⁾ who, in his *First Treatise on Government*, criticized the divine right of kings to rule, and in his *Second Treatise on Government* advocated a model of democracy. Rousseau, in the 18th century, emerged as the champion of democracy in his *Social Contract*⁽⁶⁾ but his ideas in practice led to fascism, absolutism and even to communism. He was not in favour of modern day democracy, which he called 'elective aristocracy'. Hegel, in his *History of Philosophy*,⁽⁷⁾ favoured monarchy over democracy while Karl Marx in *Das Capital*⁽⁸⁾ favoured communism over democracy. Within this context, western political thought ever since Plato has vacillated between monarchy, communism and democracy as the best ways to govern a given state. It is a different matter altogether that democracy has flourished in the United States and in Western Europe in the modern times.

In the contemporary times, the success of the idea of democracy requires not only the practice of good governance but also transparent legalistic, political, bureaucratic and cultural practices. Democracy is the name of a complex relationship between the rulers and the ruled or between the politically elected and the electorate through the regular holding of elections. The smooth operation of democracy, therefore, not only requires the transparency of elections but also the faith of the voters that only those candidates would be elected whom the electorate had voted for. In this way, the running of efficient democracy is not only a political but also a sociological, anthropological or even a psychological phenomenon. This is where the transparency of legalistic, political and bureaucratic structures gains vital importance to the efficient functioning of democracy.

Within the Indian context, democracy has functioned relatively smoothly due to the constitutional measures, the establishment and evolution of the Indian Election Commission and the on-going electoral reforms within the country. Although Indian democracy has not reached its perfection yet, Pakistan can nevertheless learn from the Indian democratic practices especially the ones related to the operation of the Indian Election Commission and the nature of electoral reforms carried out in India.

To argue thus, this paper is divided in the following three sections: 1) The Nature of the Indian Election Commission; 2) Electoral reforms and democracy in India; and 3) Lessons for Pakistan.

The nature of the Indian Election Commission

This section discusses the evolution of the Indian Election Commission from 1947 onwards including the various constitutional measures that tried to guarantee the freedom and integrity of the India Election Commission. It will also discuss the relationship between the Election Commission and Elections in India along with the functions, structures, powers and empowerment of the Indian Election Commission.

According to L. M. Singvi:

Electoral process and apparatus are basic to the design of a constitution and the quality of government in a democracy. The electoral system is a determinant as well as concomitant in modern democracies; it provides the institutional workshop for hammering out a government on the anvil of popular choice. It [obligates] us to ensure that this workshop operates efficiently and purposefully.⁽⁹⁾

According to Shri Ram Maheshwari, the administrative services which are to conduct elections must have 'competency' and possess 'integrity and impartiality' in order to ensure fair and free elections.⁽¹⁰⁾

If the election machinery is defective or is not efficient or is worked by people whose integrity cannot be depended upon, democracy will be poisoned at the source; nay, people instead of learning from elections how they should exercise their vote, how by a judicious exercise of their vote they can bring about changes in the Constitution and reforms in the administration, will learn only how parties based on intrigues can be formed and what unfair methods they can adopt to secure what they want.⁽¹¹⁾

For the purpose of holding fair, free and transparent elections, it was imperative to establish an Election Commission that could act as a watchdog over the entire election process. The Indian Election Commission was established in accordance with the Constitution of India on 25 January 1950. The Indian constitution laid down several measures to ensure the establishment of an independent and impartial election authority. The Commission had the responsibility to conduct elections in accordance with the constitutional provisions, supplemented by laws made by the Indian Parliament. The major laws included Representation of the People Act 1950, which mainly dealt with the preparation and revision of electoral rolls, while the Representation of the People Act 1951 dealt with all the aspects pertaining to the conduct of elections and post-election disputes in detail.⁽¹²⁾ According to the Indian Constitution, the Chief Election Commissioner would administer the Election Commission. The Chief Election Commissioner would remain permanently in office, and would remain uninfluenced by parties, politics and executive considerations.⁽¹³⁾

Article 324 of the 'Constitution of India'⁽¹⁴⁾ deals with the functions and the role of the Indian Commission. Article 324 (1) gives the superintendence, direction and control of the preparation of the electoral rolls for and the conduct of all elections to the Parliament and to the Legislatures of every state, and of elections to the offices of the President and the Vice President held under this constitution in a Commission referred to as the Election Commission. Until 1966, only the Election Commissioner could exercise the powers of superintendence, direction and control given to the Commission, while an Amendment to the Constitution in 1966 held that the Deputy Election Commissioner or the Secretary could also perform the functions of the Election Commissioner. Despite the delegation of these tasks, the Chief Election Commissioner continued to be the sole authority in all matters pertaining to the preparation of electoral rolls and the conduct of elections to the Parliament and the State Legislatures and to the offices of the President and Vice President.⁽¹⁵⁾

Article 324 (2) provides that the Election Commission shall consist of the Chief Election Commissioner and any number of other Election Commissioners as the President may from time to time appoint. Article 324 (5) provides that subject to the provisions of any law made by the Parliament, the conditions of service and tenure of office of the Election Commissioners and the regional Commissioners shall be such as the President may by rule determine. Proviso to Article 324 (5) stipulates that the Chief Election Commissioner shall not be removed from office except in like manner and on the like grounds as a judge of the Supreme Court, and the conditions of service of the Chief Election Commissioner shall not be varied to his disadvantage after his appointment. Article 324 of the Constitution of India is so wide in its scope that the Supreme Court of India called it the 'reservoir of power which may be exercised in a variety of cases for the furtherance of the object of free and fair elections without any fetters'.⁽¹⁶⁾

In order to make the plenary powers of the Commission under Article 324 of the Constitution of India more effective, the Parliament, under Articles 327 and 328 of the Constitution, has enacted two laws which have enunciated detailed measures under which elections need to be held. The first one of these is the 'Representation of the People Act 1950' which relates to matters of preparation, revision and publication of electoral rolls and the administrative machinery for such preparation, revision and publication. This Act also provides for the delimitation of Council Constituencies for the purpose of election to the Legislative Council. The Act has also allocated a number of seats in the House of the People to several States and Union Territories and the Part B Tribal Areas in the States of Assam, and has fixed the number of seats in each State Legislature.⁽¹⁷⁾

The second law called the 'Representation of the People Act 1951' deals with important matters. These comprise qualification and disqualifications for membership of Parliament and State Legislatures, notification for elections to the Houses of Parliament and State Legislative Assemblies and Legislative Councils, administrative machinery for the conduct of elections and its various stages, candidates and their agents, the poll, the counting of votes, declaration and publication of election results, election expenses, disputes regarding elections, election petitions and election tribunals, corrupt practices and electoral offences, incurring of disqualifications and their removal and bye-elections.⁽¹⁸⁾ Keeping in view all previous rules on the subject, the Central Government, in consultation with the Election Commission, legislated the 'Registration of Electors Rules, 1960' and the 'Conduct of Elections Rules 1961' under the Representation of People Acts of 1950 and 1951. It is within the framework of these rules that elections to both the Parliament and State Legislature are held.

Functions of the Election Commission

There have been three main functions of the Election Commission of India: the preparation of elections, the provision of an election programme and the actual conduct of elections. First, the preparatory level deals with the constituencies, the question of voter and registration, electoral rolls and

candidates. The first preparatory function of the Election Commission deals with the Constituencies. For elections, states are divided into geographically compact areas known as constituencies. Parliamentary constituency deals with elections to Lok Sabha and Assembly constituency with elections to the State Legislative Assemblies. Each parliamentary constituency consists of an integral number of Assembly constituencies. The number varies from State to State. Earlier, the Election Commission was always associated with the delimitation of Parliamentary and Assembly constituencies in India.

The Election Commission divided the entire country into viable territorial divisions of Parliamentary and Assembly constituencies. The President notified the delimitation. After the first elections to Lok Sabha and Legislative Assemblies in 1951-1952 elections, the Election Commission suggested to the Union Government that the delimitation of constituencies should be made by an independent commission whose decisions should, in turn, be mandatory. Accordingly, the Parliament passed the Delimitation Commission Act 1952. In this Delimitation Commission, the Election Commission provided secretarial assistance at all levels. However, the allocation of seats in the Lok Sabha to the different States and the number of seats in the Legislative Assemblies were last determined by the Delimitation Commission constituted under the 'Delimitation Act 1972'.

The Election Commission consolidates all the delimitation orders and publishes them in a single order known as the Delimitation of Parliamentary and Assembly Constituencies Order. The Constitution of India's 42nd Amendment Act provided that the number of seats as allocated and the territorial extent of constituencies as determined by the delimitation of 'Parliamentary and Assembly Constituencies Order, 1976' are unalterable until the publication of the population figures of the first census following the year 2000. This implies that despite the establishment of the Delimitation Commission, the Election Commission still has a central role to play in the delimitation of constituencies. This is especially so due to the involvement of the secretary level staff of the Election Commission in the delimitation process of the Delimitation Commission. Besides the delimitation of constituencies, the Election Commission also performs another very important preparatory function, relating to the registration of voters.

The second preparatory function of the Election Commission is related to voter and registration. In order to cast his vote, the voter has to be registered in the electoral roll, which the Election Commission prepares. The Constitution of India confers the right to vote in an election to every adult citizen. The Election Commission has to be cautious in the registration of voters because the voter has to fulfil certain conditions to be eligible as a voter. In order to be registered, the voter must be a citizen of India, not less than 18 years of age on the qualifying date which is first January of the year in which the electoral roll is prepared or revised; should be an ordinary resident in the Constituency; should not be of unsound mind and should not be disqualified for voting under the provisions of any law relating to corrupt practices and other offences in connection with election.

The third important preparatory function of the Election Commission is to prepare the Electoral Rolls.

The basis of a modern political democracy is the right of franchise enjoyed by every adult citizen. In order that every citizen of the land can exercise his vote, the essential prerequisite is that his name should be correctly registered in the electoral rolls.⁽¹⁹⁾

The Election Commission generally revises the electoral rolls of all constituencies in India before general elections and by-elections usually on the first of January of that year. The Election Commission can also revise the electoral rolls in any other particular year.

Last but not least, the Election Commission plays an important role in the selection of the candidate prior to the elections. A candidate can either belong to a recognized national or state political party or contest elections as an independent with or without the support of any political party. The Election Commission authorizes a person, in whose presence the candidate, after filing his nomination papers but before the date of scrutiny, has to take an oath to affirm his allegiance to the Constitution and to uphold the sovereignty and integrity of India. The Election Commission, keeping in mind the laws regarding the 'qualifications/disqualifications'⁽²⁰⁾ of the candidate, can refuse the nomination of the candidate during the process of scrutiny. Article 102 of Constitution of India along with Sections 8, 8A, 10 and 10A of the Representation of People Act 1951 impose certain disqualifications upon the candidate. The Election Commission, nevertheless, may remove or reduce the period of any of these disqualifications except those imposed under Section 8A of the Act. The Election Commission also allots symbols to the candidates who belong to political parties, while it allocates free symbols to unrecognized political parties.

Besides the preparatory function whose four factors have been discussed above, the Election Commission has the second broad function of providing an Election Programme. The election programme deals with four factors: the notification calling upon the constituencies to elect, the nomination of the candidates including the scrutiny of nomination and the withdrawal of the candidates from the contest, the election campaign itself and the poll.

The third broad function of the Election Commission is the actual conduct of elections which deals with three factors: campaigning, the poll and the count. Where campaigning is concerned, the Election Commission of India in 1991 gave a 'Model Code of Conduct for the Guidance of Political Parties and Candidates'⁽²¹⁾ to be followed during the campaign. The Code prohibited any attack on religion or communities, incitement for violence, criticism of friendly countries, aspersions on the integrity of the President and judiciary, anything affecting the integrity of the nation and anything obscene or defamatory. Statutory provisions in the Code demanded restraint from indulgence in corrupt practices or other electoral offences during the campaign. The corrupt practices mentioned in the code are bribery, the use of undue influence, the promotion of enmity or hatred between different classes of

citizens on grounds of religion, caste, community or language or appeal to voters on the above grounds, the publication of false statements in relation to the personal character of a candidate, conveyance of voters to and from a polling booth, obtaining assistance from specified categories of government servants for promoting the prospects of election.⁽²²⁾ Threats, intimidation, terrorization and victimization still occur although the law forbids such actions throughout India. The economic power of employers in industrial areas or land proprietors in agricultural areas under modern productive methods is also subtle, pervasive and legally unregulated. This implies that irrespective of the strictness of the Code, corrupt practices have continued in India.

Besides providing the Code, the Election Commission has offered national and state parties free time on radio and television. The order of broadcasts for national parties has been determined by draw of lots by the representative of the Chief Election Commissioner in the presence of representatives of national parties. Lots for the State level broadcast by state parties are drawn by the Chief Election Officers of the State concerned in the presence of representatives of the State parties. In the broadcasts, the party leaders have to follow the accepted Code.⁽²³⁾

In addition to the campaign, the Election Commission fixes the duration of the poll while the Returning Officer of each constituency notifies it⁽²⁴⁾ but the total poll period must not be less than eight hours in a day.

At the completion of the poll, the Presiding Officer closes the slit of the ballot box, seals it and delivers the sealed ballot box/boxes and the sealed packets containing the various election papers, the marked counter foils of the used ballot papers, marked copy of the electoral roll, etc. to the Returning Officer as soon as possible. The polling agents present in the polling station may also, if they so desire, put their seals on these packets. The sealed packets are kept under safe custody and cannot be opened without the direction of a competent court. This ensures secrecy of the ballot.⁽²⁵⁾

In actual conduct of elections, counting the vote is also an important function of the Election Commission. Given the direction of the Election Commission, the Returning Officer fixes the date, time and place of counting the votes and disseminates the information to each candidate or his election agent. The returning officer appoints counting supervisors and assistants while supervising them as well during the counting of the votes⁽²⁶⁾ polled at each constituency. Assistant Returning Officers may also supervise the counting of the votes. Indeed, the functions of the Election Commission have dictated the structure and powers invested in the Indian Election Commission.

The structure and powers of Election Commission

This section discusses the structure and the powers of the election commission. Within this context, it is imperative to comprehend the manner of the appointment of the Chief Election Commissioner and the extent of his independence. Where the appointment of Election Commissioners is concerned, the government of the day appoints them without indulging in any consultation. The Minister of Law sends the file to the Prime Minister and the latter recommends a name to the President. Once approved, the Minister of Law

forwards the notification. Surprisingly, the various vital stakeholders in the elections such as political parties, candidates and their supporters, media along with the public in general have shown their confidence in the appointments. Nevertheless, the various ideas have been floated in India that the opposition leader in the Parliament, the Chief Justice of India and others should also play a role in the appointment of the Chief Election Commissioner. The Chief Election Commissioner can be removed from office as a judge of the Supreme Court which implies that he can be removed through the process of impeachment laid down in the Constitution; this means that the Election Commissioner can only be removed from office on the recommendation of the Chief Election Commissioner.

For the efficient practice of democracy, it is imperative to have an Election Commission that is wholly independent, objective and non-partisan. The question is whether the Election Commission in India has been wholly independent or not. Within this context, it is imperative to explore both the extent of the Commission's independence and the nature of the constraints imposed upon it. In ideal circumstances, the Election Commission should be committed to the Constitution and the laws, and not to the party in power. According to Justice Khanna, 'every effort should be made to ensure that no extraneous pressures are exerted over it.'⁽²⁷⁾ The Election Commission can discharge its constitutional obligations effectively only if the machinery through which it functions is insulated against executive pressures. Article 324 (5) ensures the Election Commission's independence from the executive and arms it with constitutional safeguards. But these safeguards relate only to the post of the Chief Election Commissioner.⁽²⁸⁾

Constituent Assembly discussions clearly reflected that the framers of the Constitution desired the Election Commission to be 'a truly independent body, free from any kind of control or interference from the executive.'⁽²⁹⁾ However, there were hurdles in the realization of this vision. S. L. Shakhder, former Indian Chief Election Commissioner, complained of government control on the Secretariat of the Commission. He reiterated:

The Secretariat of the Commission is treated as a subordinate office of the Law Ministry who exercises detailed administrative and financial control. In fact, the Commission cannot correspond directly with the Finance Ministry or any other Ministry in regard to its day to day functioning. It is essential that the Commission should have complete autonomy in respect of its Secretariat, if the Commission is to function effectively and in an independent manner.⁽³⁰⁾

Besides, there have been other factors which have curtailed the independence of the Indian Election Commission, which relate to the budgeting and restrictions imposed on its effective functioning.

[The Indian Election Commission] is one of the [most important institutions needed to sustain democracy and must, therefore, enjoy a status equal to that of the judiciary. It should have a permanent organization of its own in each district, and the Constitution must provide enough funds and staff so that the Election Commission can adequately discharge its obligations.⁽³¹⁾

Further issue of the restraints imposed on the independence of the Election Commission would be elaborated while discussing electoral reforms in India.

Although General elections in India involve around 700 million electors and 11 million polling staff and security personnel, the Secretariat of Election Commission has around 50 officers and 300 officials to assist it in the performance of its colossal task of holding elections. There are three Deputy Election Commissioners and three Director Generals at the senior level heading certain departments. Other officers such as directors, principal secretaries, secretaries, under-secretaries and other lower level officials assist their senior counterparts.

The parliament votes for the expenditure on salaries and allowances of Election Commissioners and other officers of the Commission along with other administrative expenditure for the day to day functioning of the Secretariat of the Commission. According to former Chief Election Commissioner of India:

In order to ensure the full independence of the Commission, its expenditure should be a 'charge' on the Consolidated Fund of India like the expenditure of the Supreme Court, the Comptroller and auditor General of India and the Union Public Service Commission. Such a measure of making the expenditure of the Commission a charge on the Consolidated Fund of India will further enhance its independence and insulate it from Executive interference making inroads in its financial autonomy, for any control on the Commission's budget might be misconstrued as a check on its activities by the political executive.⁽³²⁾

The empowerment of the Election Commission

This segment highlights the role of political parties, the bureaucracy, the media and the people in empowering the Indian Election Commission. It argues that despite the empowerment of the Election Commission through the Constitution of India, the Parliament and the Supreme Court along with the various High Courts, the empowerment of the Election Commission by the political parties, bureaucracy, media and the general public is essential for having public faith in the transparency of elections in India.

The political parties of India have empowered the Election Commission through their continued acceptance of electoral verdicts and through their appreciation of the role of the Election Commission in conducting fair and free elections. Because political parties are one of the main stakeholders in the electoral process, only their satisfaction can ensure general acceptance of the public, which is needed for a smooth transference of power. It implies that throughout the history of Indian elections, political parties have been satisfied with the manner in which Indian Election Commission has held 16 general elections to the House of the People, around 348 general elections to State Legislative Assemblies and thousands of bye-elections to Parliament and state legislatures.

Besides the political parties, it is imperative for the bureaucracy to play an effective and transparent role in the actual conduct of elections. When the Election Commission commands, the bureaucracy renders close to perfect

elections. The former head of Indian Election Commission S. Y. Qureshi observed that:

[There is a] crucial role played by the Indian bureaucracy, ... in conducting free, fair, peaceful and smooth elections, paving the way for smooth transfer of power after elections. The bureaucracy's brightness and constant innovations have made the ECI a powerful and effective body.⁽³³⁾

Besides bureaucracy, the media has always aided and empowered the Indian Election Commission in the actual conduct of elections by acting as the eyes and ears of the Commission. The media has highlighted malpractices of the candidates and political parties in their political campaigns. Election Commission finds out the violations of the Model Code of Conduct or other corrupt or illegal practices of candidates or their supporters through the media. The fear of adverse reporting in the media keeps political parties away from violating the code. The candidates and their supporters have been aware that adverse publicity would affect the way the Indian public views the elections.

The final factor that empowers the Indian Election Commission is the faith of the people of India in the transparency and fairness of Indian Elections. The former head of Indian Election Commission S. Y. Qureshi rightly commented that:

The way [people of India] have respected the electoral verdicts during the last [16] general elections to the House of the People, 348 general elections to State Legislative Assemblies and thousands of bye-elections to Parliament and state legislatures bears ample testimony to the fact that the Commission has not failed the people of the country in performing the sacred duty imposed on it by the Constitution. It has been working consistently to safeguard and increase the political strength of ordinary voters and citizens.⁽³⁴⁾

Having explored the nature of the Election Commission of India, it is imperative to explore the nature of electoral reforms in India and the role of these reforms in strengthening Indian democracy.

Electoral reforms and democracy in India

This section discusses the need for electoral reforms for the efficacy of democracy and elaborates on various electoral reforms carried out in India until today. This section argues that the efficacy of democracy rests on fair and free elections. By the same token, the absence of fair and free elections would tarnish the efficacy of democracy. There has been a need for electoral reforms in India due to the prevalence of flaws in the country's electoral system. Therefore, in order to establish flawless democracy within India, it is imperative to make the election process as transparent, as fair and free as possible. Throughout its history, India has carried out electoral reforms in order to improve upon its democracy. Yet, India needs to implement more electoral reforms in order to become a perfect democracy.

This section also highlights why India has required and still needs electoral reforms. It also emphasizes the various electoral reforms that have been accomplished so far and others that need to be realized. The electoral reforms dealing with the reorganization and empowerment of the Election Commission of India, cleansing Indian politics of money power and criminalization as well as enhancing the transparency of the political parties are most essential. In addition, this section also discusses other miscellaneous electoral reforms required for the efficacy of Indian democracy.

Within South Asia, India has boasted of being the only country that has held free and fair elections and thus has an exemplary democratic system.⁽³⁵⁾ Yet, there have been imperfections in the election process, which have necessitated electoral reforms in the country. Electoral reforms signify 'a change in the electoral system' so that 'genuine public desires' can be expressed in the election results.⁽³⁶⁾ The entire election process is a large game of political chess, where different actors play their part and the ultimate champion is one who plays his pieces right. Although, India is a glaring example of upholding democracy, yet 'minor' flaws remain in the entire construction of its electoral process such as malpractices.⁽³⁷⁾ According to Bernard Shaw, 'An election is a moral horror, as bad as a battle except for the blood, a mud bath for every soul concerned in it.'⁽³⁸⁾

Although the concept of democracy was a foreign import, India has tried to Indianize the democratic system keeping in view its own traditions and culture. According to Montek, 'the pluralistic character of Indian politics led to the choice of gradualism in the implementation of reforms.'⁽³⁹⁾ As a result, throughout the actual practice of democracy, power and politics have manipulated the heterogeneity of population, the caste system, other traditions and customs to determine the nature of democracy in India. According to Professor Palmer:

Upon closer view, this system seems to lose some of the stamps of undigested foreign borrowing and to assume forms which are more closely related to India's secular tradition, experiences and needs. But beneath the familiar forms are unfamiliar practices and attitudes. The Indian political structure is still not [as] clear as one might first assume. The Indianization of Indian politics is still going on.⁽⁴⁰⁾

In his referral to 'Indianization of Indian politics', Professor Palmer meant the everyday realities of Indian politics, which were shrouded in the notions of 'secular India' and 'tradition, experiences and needs.' Such flowery phrases have concealed the brutal reality of Indian politics from the ordinary eye.

Dr. Pragya Singh highlights the 'abuse of caste and religion' in Indian elections. He maintains that the political parties allow only those candidates to contest elections who can muster the minority groups and castes in their favour. 'Communal loyalties are used at the time of election campaigning to attract the minority voters.' Interestingly, according to him, the electorate also casts its vote considering the 'prejudices' of 'caste and religion'.⁽⁴¹⁾ It implies that not only the

political parties but the electorate along with the administration have been aware of the role that caste, class, religion and so called tradition play in Indian democracy. Moreover, electoral reforms are also needed to remove power abuse against the minorities.⁽⁴²⁾ According to Bimal Prasad Singh:

Communal polarization rather multi-polarization has posed a threat to the Indian political ethos of pluralism, parliamentarianism and federalism. Despite the adoption of the principle of 'secularism' as a constitutional creed, which ironically allows communal parties to compete, the trend towards communalism and fundamentalism in Indian politics [has] been growing day by day. The spirit of tolerance that is essential for a 'secular' society seems to have completely vanished from the body politics of India.⁽⁴³⁾

Bhandari rightly argues that it is due to this very 'process of Indianization' that many problems have occurred, which have baffled the 'legal framers of the system'. Furthermore according to him, in this process of Indianization, 'power and politics' have played a prominent role.⁽⁴⁴⁾ Within this context, a long time ago, Nehru stated, 'there is a search for power and yet when power is attained, much else of value has gone. Political trickery and intrigue take the place of disinterested courage. Form prevails over substance and power, so eagerly sought after, somehow fails to achieve what it aimed at.'⁽⁴⁵⁾ Nehru's comment can be deconstructed as his disillusionment with the functioning of Indian democracy.

According to Professor T. N. Smith, the 'development' of indisputable electoral administration requires 'an administrative machine' which is 'capable of conducting elections with impartiality and without confusion.'⁽⁴⁶⁾ Bhandari highlights several 'disturbing developments' in Indian democracy, which have strained India's democratic polity'. According to him, India has 'glaring economic and social inequalities, exploitation, privileges and concentration of wealth.' The entire 'election system reveals that the present system of parliamentary democracy is suffering from serious limitations and distortions.'⁽⁴⁷⁾ According to Mahesh and Dr. Sannaswamy, the electoral process in India is defective on many counts which does not provide 'fair opportunity to every candidate: Money power, soaring election expenditure, corruption and other electoral malpractices distort the electorate's verdict.'⁽⁴⁸⁾

On the contrary, Dr. Rajbir Singh Dalal argues that India has the 'most successful and progressive democracy which has passed many litmus tests' including that of Emergency from 1975-1977. Furthermore according to him, the conduct of the 16 Lok Sabha elections and many Legislative Assemblies elections 'smoothly and fairly', show the success of Indian democracy compared to other developing countries.⁽⁴⁹⁾ His optimism, however, soon gets diluted when he touches upon the challenges that Indian democracy faces today. These are corruption and the increasing size of black money; misuse of power and rising opportunism; nexus among politicians, bureaucrats and mafia; criminalization of politics and the increasing use of money, muscle and mafia; the decline of ethics and values in public life and the lack of statesmanship qualities in the leadership; glaring inequality among the citizens; reckless and biased media;

naxalism, terrorism and other tension areas; prolonged and expensive judicial system; fractured mandate and unstable government along with overcautious people regarding their rights but dereliction towards their duties.⁽⁵⁰⁾

Electoral reforms are essential for strengthening the democratization process in India. Indian democracy has First Past The Post (FPTP) as its electoral system to provide representation to voters in State Assemblies and in the Parliament. FPTP voting refers to an election won by the candidate(s) with the most votes. Many 'distortions' in the system have 'undermined the democratic aspirations of the people.'⁽⁵¹⁾ The FPTP may allow political parties to come to power, both in the States and at the Centre that acquired minority of votes. The problem with this system has been that vast majority of voters, in this system are left unrepresented in governance. 'The present electoral system in India encourages corruption and use of muscle power [along with] communal pull to gain the slight margin of winning votes.'⁽⁵²⁾ The winning candidate does not necessarily receive an absolute majority of all the votes cast. Moreover, the parties with economic power can manipulate voters and therefore become more successful in gaining a dominant position in the governance structure.⁽⁵³⁾ Reforms include introducing a means of accountability as democracy would be strengthened by public accountability and information legislation.⁽⁵⁴⁾ Within this context, the Election Commission, through its recommendations and implementation of electoral reforms, becomes a 'means to the end of [achieving] a vibrant democracy.'⁽⁵⁵⁾

According to Article 328 (b) of Constitution of India: 'No election to either house of the Parliament or to the house of either house of legislature of a state shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate legislature.' Here, it is the parliament to enact legislation to control all types of loopholes with regard to fair election. It is the parliament's utmost duty to hold elections in a fair manner and in a better way.⁽⁵⁶⁾

The nature of electoral reforms along with its history and future paths must be viewed within this context. In India, the commonly held view has been that the Indian electoral system did not have any significant flaw until the fourth general elections, which were held in 1967.⁽⁵⁷⁾ This impression could have been due to the unawareness of the electorate regarding the entire election process in India. Until the 1967 general elections, the Indian media had not played any active role in increasing the general awareness of the public regarding the flaws in elections. The general public perceived the fifth general elections of 1971 to be somewhat deformed while it viewed all the successive elections especially those held during the 1980s and after to be considerably flawed. This was generally due to the role of the Indian media in pointing out the anomalies in Indian general elections.

The Tarkunde Committee Report of 1974-1975, Dinesh Goswami Committee Report of 1990, Justice V. R. Krishna Iyer Committee of 1994, the Election Commission's Recommendations in 1998, Indrajit Gupta Committee Report of 1998, Law Commission's Report of 1998, Justice Kuldeep Singh Panel of 2002 along with Proposed Electoral Reforms by 'Anna Hazare and his

followers⁽⁵⁸⁾ produced a comprehensive set of recommendations regarding electoral reforms.

In India, certain electoral reforms have been implemented already. These include the lowering of voting age from 21 to 18 years, increase in the amount of security deposit from Rs.500 to Rs.10,000 for general constituencies and Rs.250 to Rs.5,000 for reserved constituencies, the introduction of electronic voting machine, making it obligatory for candidates for elections to the Lok Sabha and State Assemblies to declare their criminal background, educational qualifications and economic status at the time of filing nomination papers. Yet, many more electoral reforms need to be implemented.

In contemporary India, there are various problems in the election process, which need to be addressed through electoral reforms. First of all, the independence of Election Commission of India needs to be established. Second, politics needs to be cleansed through electoral reform. Third, electoral reforms need to make the functioning of the political parties more transparent. Finally, other miscellaneous electoral reforms are also discussed.

Independence of the Election Commission and Electoral Reforms

The independence of the Election Commission of India can be ensured through electoral reforms regarding the appointment of the Chief Election Commissioner, the process of removal of the Chief Election Commissioner and giving more powers to the Election Commission of India. Where the appointment of the Chief Election Commissioner is concerned, there is criticism regarding the manner of their appointment. The government makes the appointment of the Chief Election Commissioner along with those of the two Election Commissioners, which makes the neutrality and objectivity of the posts doubtful. Within this context, there have been suggestions that these appointments should be based on wider consultations with an electoral college that includes the leader of the opposition. The appointment through a process of wider consultations would not only make the institution strong but would also increase the confidence of the CEC and the EC.⁽⁵⁹⁾

The removal process of the Chief Election Commissioner must be one which insulates the CEC's office from Executive interference and keeps the removal independent of the 'whims and fancies of the government of the day.'⁽⁶⁰⁾ At present, the Chief Election Commissioner can only be removed through impeachment. Similar protection needs to be extended to other Election Commissioners. The ECs can only be removed through the recommendation of the Chief Election Commissioner, but this protection is insufficient. Therefore, constitutional protection needs to be extended to the Election Commissioners as well.

Finally, three electoral reforms are required to ensure the independence of the Election Commission of India. A few provisions in the law need to be modified to further enhance the credibility of elections. This entails the question of officials and police personnel deputed to the Commission. According to law, the Commission has total control over such personnel, but political parties offended by their upright behaviour could avenge them later when they are not

under the protection of the Election Commission. On the contrary, if the personnel favoured a particular political party, which eventually came into power, then those in power could reward such personnel, thus corrupting the administrative machinery that was involved in the elections.

Within this context, the Election Commission recommended that there should be legal provisions banning the transfer of election officials for six months before the date of elections without consulting the Election Commission. Even after the elections, officers may need protection for some time, which could be up to a year. If any disciplinary action was contemplated against any officer by the government, consultations with the Election Commission should be made mandatory. This will provide a sense of security to the upright officers.⁽⁶¹⁾ Next, Commission's budget should come directly from the Consolidated Fund of India as it does in the case of the Supreme Court of India. Finally, an independent secretariat on the model of the secretariats of the Rajya Sabha, the Lok Sabha and the Supreme Court Registry should be appointed for the Commission.

Cleansing of Politics through Electoral Reforms

The second issue has been how politics can be cleansed of both money power and muscle power through electoral reform. It signifies that electoral reform is required to put an end to money and political power nexus as well as to end the criminalization of politics in India. Money power has played a significant role in deciding the end result of elections in the past. The role of money has considerably increased in the present times. The civil society in India has become tired of the use of black money in Indian elections. The use of black money implied that the Indian elections could be bought as well.⁽⁶²⁾ Money power could be curbed through state funding. The practice of state funding for political parties to reimburse their poll expenses is prevalent in certain countries like Germany, France, Israel, Canada, Japan and the US. In this system, political parties polling a minimum percentage of votes are entitled to subsidy by the state.

The role of muscle power has become another decisive factor. This is done in two ways: a) by preventing the voters of weaker sections of society on their way to polling stations for casting their ballots; and b) by forcibly capturing polling booths for marking and inserting ballot papers in the ballot box of the candidate of choice. Unfortunately, as Siddhartha Dash elaborates, numerous 'local muscle men and criminals whose services were earlier sought for extortion or vote gatherings are now directly entering the fray and are elected in the process.'⁽⁶³⁾

Candidates and parties would initially resort to using criminals to intimidate electors and even officials. There are pockets in [India] where electors were subjected to intimidation and, for decades could not dare venture anywhere near a polling booth. Then, over time, the criminal elements used for intimidation realized that they were contributing to the victory of others, and began entering the electoral fray themselves.⁽⁶⁴⁾

The 'disease of criminalization' has become widely prevalent in the Indian political system. Many elected representatives have become overtly or covertly involved in criminal processes and illicit activities, which the Indian public has criticized strongly.⁽⁶⁵⁾ As Biswas Soutik puts it, 'when a political party puts up candidates with criminal charges, it results in the alienation of large sections of people from the political class and politics itself.'⁽⁶⁶⁾ It is not only the matter of having criminals as political leaders, but the entire election process gets criminalized when different party members attempt to buy elections. The usage of black money in the electoral process has corrupted the entire system.⁽⁶⁷⁾ It is also a matter of candidates grabbing positions of power irrespective of the means they use.

Long ago, Plato had stated that 'the measure of a man is what he does with power.' Many political actors in India have tried to grab power irrespective of the use of illegal means. They 'use all sorts of ways to overcome any obstacle that they face.'⁽⁶⁸⁾ On the road towards power grabbing, they get rid of any hindrance and take shortcuts which suit them the best. Big family parties, which have always been in power, have got black money involved in elections to ensure that they do not lose election seats.⁽⁶⁹⁾ Moreover, for the acquisition of power, politicians have been willing to indulge in violence during or before or even after elections.⁽⁷⁰⁾ Out of a total of 4,807 sitting MPs and MLAs, over 30 per cent have criminal cases against them, of which 688 cases are of serious nature.⁽⁷¹⁾ The combination of money power and criminal record almost doubles the winning chances of a candidate. Justice Jeevan Reddy, former Supreme Court Judge and former Chairman of the Law Commission of India, held that '23 per cent of the candidates with criminal record win, while only 12 per cent of the clean candidates do.'⁽⁷²⁾

Many commissions and committees tried to remove criminalization from Indian election process. These included Goswami Committee on Electoral Reforms in 1990 and the Vohra Committee in 1993. The Vohra Committee Report was prepared to reflect upon all available information about the activities of mafia organizations, which had linkages with and were being protected by government functionaries and political personalities. The major contribution of the report was to coin the phrase 'criminalization of politics and politicization of criminal'. It was the first time ever that the effect of both organized and unorganized crime on the entire electoral process was officially recognized.⁽⁷³⁾

Among others, Inderjit Gupta Committee on state funding of elections in 1998, Law Commission Report on 'Reform of the Electoral Laws' in 1999, National Commission to review the working of the Constitution in 2001, Election Commission of India's Proposed Electoral Reforms in 2004 and the second Administrative Reform Commission in 2008, all dealt with criminalization in Indian politics. Then, the Supreme Court issued an order on 16 December 2013 requesting the Indian Law Commission to concentrate on two issues related to the criminalization of politics. First, either disqualification should be triggered upon conviction, as it exists today, or upon framing of charges by the court.

Second, the question was raised whether filing of these affidavits under Section 125 of the Representation of People Act 1951 should be a ground for disqualification. Section 8 of the Representation of People Act 1951 provides for disqualification on conviction for certain offences. Sub-section (1) deals with certain named offences, the conviction irrespective of the quantum of punishment results in disqualification for a period of six years from the date of such conviction. Sub-section (2) says that conviction under offences mentioned, wherein a sentence of imprisonment for not less than six months is imposed shall result in disqualification of such person for a period of six years from the date of his conviction and for a further period of six years from the date of his release. Sub-section (3) which has attracted the greatest attention says: 'A person convicted of any offence and sentenced to imprisonment for not less than two years (other than any other offence referred to in Section 1 and Section 2) shall be disqualified from the date of such conviction and shall continue to be disqualified for a period of six years since his release'.⁽⁷⁴⁾

Despite these clauses and recommendations of Law Commission of India, the influential candidates either escape prosecution using various means or they are acquitted. Banerjee writes: 'while the prosecution proceedings are kept pending for years, the persons continue to contest, get elected and contest in the next election.'⁽⁷⁵⁾ The recommendations of Indian Law Commission, which it gave in 1999 in its 170th report, that a person, against whom charges have been framed by a criminal court for offences punishable with death or imprisonment of life, should also be disqualified from filing his nomination for state legislature or Parliamentary elections. Such recommendations have still not been implemented.

In order to deter the criminal elements from entering into the electoral field, law should make it mandatory for a person convicted by a court of law and sentenced to imprisonment for six months or more to be debarred from contesting polls for a period of the sentence imposed and an additional period of six years. Any person who is accused of any offence punishable with imprisonment for five years or more should be disqualified, even when her/his trial is pending, provided that the competent court of law has taken cognizance of the offence and framed the charges against him.

In 2013, in *Resurgence India vs. Election Commission of India* case, the Supreme Court of India directed the returning officers to reject the nomination papers of candidates, who do not provide all relevant information about their assets, liabilities and criminal cases, if any. Justice Jeevan Reddy held: 'Even today, the field of qualification of candidates has to be enlarged by providing, that candidates against whom charges have been framed for offense punishable with death, imprisonment of life or imprisonment of 10 years, shall stand disqualified, provided such charges are framed six months prior to the date of scrutiny of the nomination papers.'⁽⁷⁶⁾ Despite such judgments, the nexus between criminalization and politics has largely prevailed in India. Besides, Indian political parties also need to be cleansed through electoral reforms.

Electoral Reforms and transparency of Indian political parties

Electoral reforms are also required regarding the transparency of Indian political parties as it is vital for the success of democracy in India. Political parties play a pivotal role before elections, during elections and in the formation of government after elections. The Constitution of India or other legal provisions have left the political parties unregulated. As Dash puts it, 'one of the most critical needs of the time is to reform political parties and to make them open, democratic and accountable. Political parties should be made more accountable by being forced to do internal audits of their finances and producing evidence of internal democracy.'⁽⁷⁷⁾ The emergence of many political forums and parties having diverse ideologies threaten the Indian electoral process as they can disrupt the political side of elections in India.⁽⁷⁸⁾

In order to ensure transparency in political parties, electoral reforms are required in five issue-areas: the registration and de-registration of political parties, inner party democracy, and transparency in the accounts of political parties, the problem of dummy candidates and the electorates' right to reject all the candidates. The first issue area concerns the registration and de-registration of political parties. The Election Commission registers the political parties under statutory provisions given in the Representation of People Act, 1951. Section 29A inserted in 1989, gives the broad framework for registration of an association or group of Indian citizens as a political party. An association seeking registration as a political party is required to move an application before the Election Commission within 30 days of its formation. Interestingly, the term 'political parties' was not used in any law before 1989.⁽⁷⁹⁾

One of the statutory requirements for a valid application for registration as a political party under Section 29A in the 1951 Act is that the constitution of the party should contain an undertaking of allegiance to the Constitution of India and to the principles of socialism, secularism and democracy, and to uphold the unity, sovereignty and integrity of India. Although political parties bind themselves to follow constitutional provisions and the principles of democracy through an undertaking in their constitutions, at the time of registration, there are no legal provisions that enable the Commission to take punitive action against them or to withdraw their registrations in case of violation of such an undertaking.

In an appeal on the issue of cancellation of registration of political parties in cases of violation of constitutional provisions, the Supreme Court held that the Election Commission's decision of registering a political party is a quasi-judicial one. Moreover, given the lack of provisions in law for de-registration, the Election Commission cannot de-register a party on complaints of political party's violation of the latter's own undertaking. The Supreme Court upheld a narrow interpretation of the Election Commission's power to register a political party which restricted the Election Commission's power to hold a political party accountable, thus making the Commission powerless. Unfortunately, the Commission's recommendation to the government to amend the law, empowering the Commission to regulate registration as well as de-registration of political parties and their internal functioning according to the

parties' own constitutions, has not been implemented yet.⁽⁸⁰⁾ Non-implementation of proposed electoral reforms has been a constant hindrance in the cleansing of India's political parties.

The second issue-area, where electoral reforms are needed, is the maintenance of democracy within political parties themselves. Since India has a robust democracy, it is imperative that political parties should also observe democratic principles. The parties need to follow 'democratic processes' in decision-making, in intra-party elections to various offices and committees of the party at suitable times.⁽⁸¹⁾ As most parties give three-year terms to their office-bearers, this time period would seem suitable.

Presently, the Election Commission is not empowered enough to regulate the internal functioning of political parties, but the Commission has proposed reforms in this regard. In 1996, the Election Commission conducted a review of intra-party elections among recognized parties finding deficiencies in this regard. The Commission notified the parties instructing them to complete internal elections within a given period. Then onwards, the Commission has monitored the holding of internal elections in about 50 recognized national and state parties. If any political party is unable to conduct its elections in time, it can ask the Commission for an extension, explaining the reasons for it. The Commission, while agreeing to extend the time, binds the party to abide by the extended limit.⁽⁸²⁾ The general public, however, does not perceive internal elections within political parties to be democratic. Currently, the Election Commission does not closely supervise the internal electoral process within the political parties. With electoral reforms that empower the Election Commission in this regard, the political parties would have to ensure inner democracy while registering with the Election Commission, or the parties would risk losing their registrations.

A third important factor that can bring about transparency in political parties deals with the maintenance of transparency in the accounts of political parties. In order to enhance the transparency in the accounts of political parties, the Indian Commission has proposed that chartered accountants approved by the Election Commission should audit the accounts of political parties. Moreover, the audited accounts need to be displayed both on the Election Commission's website and the political party's website.

Fourth, in order to enhance the transparency of political parties, electoral reforms need to deal with the problem of dummy candidates. According to S. Y. Quraishi, a dummy candidate:

contests an election with no intention of winning. He is non-serious and stands for an election simply to influence the share of votes among genuine candidates or to take advantage of benefits given to candidates. Some dummy candidates are set up by 'rival' candidates so that they get more poll agents in polling stations and counting centers to influence the polling process and often to circumvent the ceiling on expenditure.⁽⁸³⁾

Dummy candidates have contested elections in India from the various constituencies. For example, in 2012 in the Kadappa constituency of Andhra

Pradesh, the Election Commission declared 11 independent candidates in the Lok Sabha constituency as 'Dummy Candidates' and withdrew all the privileges given to them. Of the 11, the Election Commission issued notices to seven. Three were found to be campaigning for Y. S. Jaganmohan Reddy of the YSR Congress party, while two others supported the Indian National Congress candidate D. L. Ravindra Reddy. The Election Commission served show-cause notices to both Jaganmohan and Ravindra Reddy, asking them why the expenditure incurred by these independent candidates should not be treated as their expenditure.

Dummy candidates can also be dormant candidates who are willing to withdraw from the electoral contest, often for a consideration, but remain listed in the ballot. The purpose of dummy candidates is to confuse voters by setting up candidates with similar names. For example, in the elections to the Hisar parliamentary constituency in Haryana in 2011, there were 31 independent candidates, of which 5, including the main candidate Kuldeep Bishnoi had similar names. The duplication of names of candidates is also known as 'cloning,'⁽⁸⁴⁾ which carries implications for elections within a given constituency. Luckily, other four 'Kuldeeps' could not confuse voters and had an average voting share of 801 only. All 27 independent candidates polled 2,192 votes each on average, whereas the main winning candidate polled 3, 55, 955 votes. It is obvious that such candidates are mostly non-serious or have other considerations. According to S. Y. Qureshi, when dummy candidates are caught, they are 'deprived of privileges like vehicles', denied the right to nominate agents in polling booths and they are not even allowed to be present at the counting stations.⁽⁸⁵⁾

According to Bhattacharya and Mitra, 'hyper-plurality' in candidate structure can damage the credibility of the democratic process itself. They also give ample suggestions to cleanse politics through ensuring mature candidates with good character, increasing transaction costs for non-serious candidates, submission of a high deposit fee, regulations which ensure a minimum level of support for the candidate, ending candidates' simultaneous participation from many constituencies and avoiding confusions among voters.⁽⁸⁶⁾

Last but not least, electoral reforms need to be carried out which give the electorate the right to reject all the contesting candidates in a given elections, which would create more transparency in the political parties. Voters should get the right to cast a negative vote. In every ballot paper or ballot electronic voting machine, there should be an option 'none of the above', and if the number of votes polled in this category is more than 50 percent of the total votes polled, all candidates should be debarred from contesting elections for at least six years by the Election Commission and the election be declared void. The election should then be re-conducted with fresh candidates.

The right to reject could mean that the electors have the option of not voting for a candidate or of nullifying the entire panel of candidates, if the reject vote exceeds the votes secured by any candidate. This option might put pressure on parties to nominate more acceptable candidates and force candidates to reach out to a larger section of electors. Another interpretation of 'right to reject'

would be that electors could reject the whole panel of candidates, which would force a re-election with fresh list of candidates.⁽⁸⁷⁾

In addition to the three broad areas in which electoral reform is required for the efficacy of democracy, there are other miscellaneous issues as well. There is the issue of inadequate representation of women in legislatures. Instead of following the reservation rule with the possibility of further internal reservation, all recognized political parties should fix a specified percentage of women candidates in all state and parliamentary elections that they may participate in. Rikhil R. Bhavnani, using data from randomly chosen seats in local legislatures in Mumbai, found that the probability of a woman winning office conditional on the constituency being reserved for women in the previous election is approximately five times the probability of a woman winning office if the constituency had not been reserved for women. The data suggested that reservations work in part by introducing into politics women who are able to win elections after reservations are withdrawn and by allowing parties to learn that women can win elections.⁽⁸⁸⁾

Then, since the government in poll bound states can affect elections in their own favour using the administration, the government in poll bound states should resign before polls. The cabinet ministers of states going to polls, barring chief minister, finance and home ministers, should resign after elections are announced. Such reforms would defuse the misuse of government money and administrative powers to influence elections.

Some scholars have suggested that the Election Commission should prescribe a maximum age limit and minimum academic qualifications for the candidates contesting elections in India. There should be a retirement age for politicians, which some analysts have suggested between 60-65. According to Dash, for all the competitors in elections, the Indian Election Commission should conduct a test, which would test their knowledge of India's 'Constitution, economy, freedom struggle and geography. Certain minimum marks in these subjects should be fixed to qualify for becoming a politician; psychological tests should also be held to judge their overall personality.'⁽⁸⁹⁾

Then there has been a dire need for the reorganization of constituencies within India. For example, in Delhi itself, while one Parliamentary Constituency comprises four lakh voters, another constituency includes as many as 22 lakh voters. Within constituencies, large differences in terms of population need to be removed. Certain constituencies have continued as reserved since the inception of the Constitution. Dash holds that 'the continued reservation of seats for specified castes and tribes could be rotated after each census on the basis of strength of their population. Such a step would possibly remove the grievances of the general population of perpetually being denied representation in the legislature.'⁽⁹⁰⁾

According to Siddhartha:

Reform is not a single time effort but a continuous process. It would be appropriate if a standing committee, comprising members of parliament and experts in election laws, is constituted to go into the question, as and when it arises, and to suggest changes wherever necessary, in the election law to the

government. The success of the reform would depend upon the working of and adherence to the system on the part of electoral machinery at all levels, the political parties, the candidates and the electorate. An independent press and enlightened public opinion have no substitute to push through reform. The participation of the youth in election plays a major role in restoring our faith in democracy. Finally, there should be proper mechanism, fully functional and fully equipped, to fight with any triviality.⁽⁹¹⁾

This section has discussed the complex relationship between electoral reforms and democracy in India. Democracy has been a 'foreign import' for India, but the country has sought to 'Indianize' it through mixing the western concept with its own traditions, cultural and religious heterogeneity along with the realities of communalism, class and caste. Many electoral reforms have been implemented in India but many more need to be implemented. Various provisions in the Indian Constitution, Supreme Court decisions, and recommendations of the various Commissions including those of the Indian Election Commission have made electoral reforms possible. Nevertheless, both the criminalization of politics and the politics of criminalization have necessitated electoral reforms in order to achieve effective democracy in the country. The areas which most require electoral reform include the further empowerment coupled with the independence of the Election Commission, cleansing politics of criminalization and increasing the transparency of political parties. In addition, this section has raised a few miscellaneous issues as well that require electoral reform.

Lessons for Pakistan

This section argues that India's continued practice of democracy ever since its independence offers strong lessons for Pakistan's delicate democracy. Where the democratic process in India is concerned, the strengthening of the Indian Election Commission along with the nature of electoral reforms carried out in India, have been of foremost significance. It is generally true that India has not reached the perfection of having a flawless democracy yet. Nevertheless, Pakistan needs to benefit from India's long experience to empower the Election Commission of Pakistan and implement the various important electoral reforms, which would eventually strengthen Pakistan's unstable democracy.

The electoral process in India holds lessons for Pakistan. One lesson is of setting a simple and well-defined target. Another is the importance of having transparency in the value elections. It is harder for politicians to interfere in the electoral process and steal the elections when bureaucrats and election officials are under intense public scrutiny. Extending the country's right to information law, irrespective of the fear of the exposure of corruption, has proved to be immensely valuable. Lastly, bureaucrats become more efficient and less corrupt, when they lose discretionary powers. Those who organize elections have no discretion to decide who is allowed to vote or where. They are only supposed to ensure it all works efficiently, leaving little incentive for people to bribe or bully them.⁽⁹²⁾

Unlike India, which has experienced uninterrupted democracy from 1947 to present, Pakistan's political history has demonstrated the vulnerability of its democracy. Since the country's inception, its politics have oscillated between military rule and electoral democracy. The latter held sway from 1947-1958, 1972-1977, 1988-1999 and finally since 2008, while the military rule persisted during the intermittent periods. This alone suggests that Pakistan's democracy has continuously been in a state of transition. Even the democratic phase between 1988-1999 remained politically unstable due to mid-term dismissals of both Prime Minister Benazir Bhutto, representing Pakistan People's Party (PPP) and Prime Minister Nawaz Sharif, representing Pakistan Muslim League (PML). Thus it has not only been the military coup d'états that strained the democratic process in Pakistan, but even elected governments have been unable to stabilize the country's democratic process. Traditionally, the uncurtailed power of the military institution along with the deterioration in civil-military relations has been held responsible for fragile democratic process in Pakistan. At a deeper level, however, it is also the failure of the democratic leadership to strengthen the democratic process itself. Fortunately, democracy has continued in Pakistan since the end of Musharraf's rule in 2008. It was the first ever time in Pakistan that the government of Prime Minister Zardari completed its five-year term (2008-13) with a peaceful transition to Nawaz Sharif's government in 2013.⁽⁹³⁾

In an interview with the author, Haider Muhammad Chohan provided important insights into the efficacy of elections in Pakistan. He served as the Secretary of the ECP twice from August 1982 to October 1984 and from March 1989 to August 1990, but on both occasions he was removed from his post before elections were held. Chohan comprehensively explained the overall election system in Pakistan, beginning from the 1935 Government of India Act, which was not based on universal franchise. He held that in 1946 elections in India, both Hindus and Muslims created different pressure groups as a conventional form of rigging. A similar exercise was seen after partition in Pakistan's first provincial elections in Punjab between 1950-1954, which were neither free nor fair. Over time, rigging became a regular feature in the electoral history of Pakistan. Rigging became common with all the government agencies including the military serving as the prominent actors in it.⁽⁹⁴⁾

Democracy in Pakistan is still at the onset even after 67 years of its existence because of recurring military coup d'états. According to Chohan, the military always found new ways and means of rigging the elections or referendums which were held during dictatorships. Unfortunately, according to him, Pakistan's democratic governments also relied on undemocratic means to maintain their power. He illustrated the example of Zulfikar Ali Bhutto, who being nurtured in the nursery of the military, never relied on democratic processes; rather he resorted to rigging in the elections. The elections held in early 1977 were an illustration of this phenomenon, whereby elections were tainted by rigging made easier because of the ineffectiveness of the Election Commission. People's reaction against fraudulent election, back then, was immense.⁽⁹⁵⁾

He also maintained that President Ghulam Ishaq Khan (1988-1993) used and misused the reserved powers of the Eighth Amendment to check the governments in power. Using this Amendment, Ishaq Khan was able to dismiss Prime Minister Benazir Bhutto on 6 August 1990 and Nawaz Sharif on 18 April 1993 on charges of corruption, mismanagement and nepotism. The October 1990 elections were also rigged as Ishaq Khan never wanted Benazir to gain power.⁽⁹⁶⁾

Chohan opined that the 2013 elections were 'reasonably fair, credible and transparent' in Pakistan's electoral history. According to him, Pakistan's national tendency was not to believe as a society; rather, people enjoyed 'mudslinging' which arose out of 'confusion and chaos.' Allegations from political circles, especially from Pakistan Tehreek-e-Insaf (PTI) on the unfair conduct of the 2013 elections seemed illogical. It seemed beyond the capacity of Sharif who was in power in Punjab only and because the Election Commission of Pakistan works under the constitution and caretaker government came through consultation as a constitutional requirement. Across the board, rigging in the recent elections do not have a solid ground because provincial governments do not have enough powers to frustrate the Election exercise on a large scale.⁽⁹⁷⁾

In Pakistan, the Election Commission is the constitutional entity, made up of one Chief Election Commissioner (CEC) and four Election Commission Members,⁽⁹⁸⁾ with the authority and responsibility of conducting elections. The ECP is the organization responsible to assist the Election Commission in implementing its policies and decisions. The ECP has offices throughout the country at the federal, provincial, divisional and district levels. While the Election Commission is headed by the CEC, the executive side of the ECP is headed by the Secretary of the ECP.

The Constitution of Pakistan charges the Election Commission with organizing and conducting elections in an honest, just and fair manner, in accordance with the law. The Commission is required to take steps to guard against corrupt practices in the electoral process.⁽⁹⁹⁾ The Election Commission's specific responsibilities include the following: preparing electoral rolls for the National Assembly, the Provincial Assembly and the local government elections and revising them annually; delimitation of constituencies; organizing and holding general elections to the National Assembly, the Provincial Assemblies and the local government bodies.⁽¹⁰⁰⁾ Organizing and conducting elections to the Senate and by-elections to fill vacancies in the National and Provincial Assemblies and the Senate; appointing Election Tribunals; and holding election to the office of the President. The CEC and the Members of the Election Commission are appointed for five-year terms and cannot be removed, except through the Supreme Judicial Council; the same procedure used to remove Judges of the Superior Courts.⁽¹⁰¹⁾

A person may be appointed as the Chief Election Commissioner if he or she is (or has been) a judge of the Supreme Court or a judge of a High Court and is qualified to be appointed as a Supreme Court judge. To be a member of the Election Commission, a person must be a former judge of a High Court.

There are four High Courts in Pakistan – one in each of the four provinces namely Balochistan, Khyber-Pakhtunkhwa (KPK), Punjab and Sindh.⁽¹⁰²⁾ All executive authorities in the Federation and Provinces are required to assist the Election Commission in the discharge of its functions.⁽¹⁰³⁾

Despite being faced with various challenges, the Election Commission has successfully conducted General Elections from 1970 through 2013 (1970, 1977, 1985, 1988, 1990, 1993, 1997, 2002, 2008 and 2013). The 2013 General Elections were the tenth elections held on the basis of direct vote; prior to 1970, indirect elections were held to the National and Provincial Assemblies. The ECP has been managing elections in Pakistan, which stands sixth in the world in terms of population. Though the ECP has been managing huge election operations, it has always been aware of its limitations, potentials and prospects in delivering elections to the Pakistani nation.⁽¹⁰⁴⁾

Ishtiaq held that the ECP was a ‘hub for all the political stakeholders, judiciary and the media’ alike and its basic obligation was to conduct fair and free elections. In order to translate this vision into reality, the ECP held meetings with the political stakeholders to deal with the complexities and hiccups of election commission and electoral reforms. According to Ishtiaq, the importance of the ECP should not be overlooked in our country which is still striving to achieve institutional harmony.⁽¹⁰⁵⁾

According to Chohan, the Election Commission of India was more transparent than the ECP because Indian leaders had ‘more awareness and education’. He held that Brahman families, who dominated Indian politics, were highly educated and thus had a better understanding of democracy. Moreover, he maintained that Indian democracy was strengthened in its true spirit when *Dalits* (the untouchables) were given constitutional rights. Chohan was of the view that unlike the Election Commission of Pakistan, appointments of Chief Election Commissioner (CECs) in India have not been from the judiciary. In India, all the Chief Election Commissioners were selected on merit and were generally civil servants of great competence. He continued that the ECP is more autonomous and empowered to take any important actions against institutions, political parties or individuals in comparison to Indian Election Commission (IEC). ‘In the ECP what we lack is implementation and selection of individuals of integrity and impartiality. One of the major setbacks to the ECP is that the appointments of CECs are exclusively from the judiciary.’⁽¹⁰⁶⁾

At this juncture, the question that arises is: How can the ECP and the electoral process be made trustworthy enough to nullify the need for having interim governments? First, the government should give real powers to the ECP to manage its affairs and select its workforce independently. Second, the auditing of political contestants is important to curb the wrong use of money in elections. In India, banks have to report all transactions above one million rupees to the ECI after the announcement of the election schedules. The contestants are barred from holding marriages of their children while the election is being held, just to keep a check on the use of money. Third, in Pakistan, the ECP cannot take action against the presiding officers and returning officers, according to the code of conduct. The Commission’s former secretary

Ishtiaq Ahmed Khan has recently stated that the ECP has requested the Parliament to amend the law and empower the Commission to take action against anyone who is found guilty of misconduct.⁽¹⁰⁷⁾ All these steps would create more transparency in the electoral process.

The ECP introduced a photographic electoral roll with National Identity Card (NIC) numbers of all voters, which was an effort to prevent multiple registrations and voting. SMS service was initiated to help voters learn about their registration status and polling station. Five codes of conduct for electoral stakeholders were implemented including that for political parties and candidates, polling personnel, security personnel, election observers and the media. The ECP also completed the unification of election laws and recommended important areas for legislation to the government before the general elections.⁽¹⁰⁸⁾

The electoral processes, in order to be 'responsive and inclusive,' must fulfil the expectations of all electoral stakeholders,⁽¹⁰⁹⁾ especially signifying all the political parties and the electorate. The European Union Election Observer Mission, in its report on the 2013 General Elections, commented that:

Fundamental problems remain with the legal framework and the implementation of certain provisions, leaving future processes vulnerable to malpractice, and Pakistan not fully meeting its obligations to provide citizens the right and opportunity to stand as candidates and to vote.⁽¹¹⁰⁾

At present, Pakistan's general public is aware that electoral reforms are essential for the efficacy of democracy. UNDP commissioned a nation-wide survey of 4,535 people, in which 49 percent were not satisfied with the existing electoral system while 55 percent of those polled held that electoral reforms were necessary. Within this context, all political parties must agree on holding a new population census along with the fresh delimitation of constituencies to ensure that 'all constituencies were roughly equal in population size.'⁽¹¹¹⁾ Despite the prevalence of democracy in India since inception, Indian electoral reforms dealing with the delimitation of certain constituencies according to population size, still need to be implemented.

Before the 2013 elections, only meagre electoral reforms were realized, and Pakistan was required to comply with international obligations under instruments like the International Covenant on Civil and Political Rights, which Pakistan ratified in April 2010. However, a Special Parliamentary Committee on Electoral Reforms was formed, which comprised representatives from all the political parties. The Committee was designed to address the grievances of all the political parties as well as of the citizens. With the establishment of Special Committee, the Parliament assumed a leading role, when compared to the judiciary or the bureaucracy, in the process of electoral reforms. This was a welcome development and the tenure of the Committee should be extended by one more year.

In an interview with the author on 19 December 2014, Ishtiaq Ahmed Khan, former Secretary of the ECP (September 2009-November 2014) highlighted that in 2012, the ECP initiated the 'scrutiny of Electoral Rolls',

which lay at the 'pinnacle' of electoral reforms. According to him, political parties, civil society, media and the entire nation demanded the preparation of accurate computerized Electoral Rolls because the latter serve as the strong foundation for any credible, free and fair elections. Multiple and bogus entries in the Electoral Rolls of 2007 were widely criticized throughout Pakistan. Within this context, it was imperative to 'devise a fool-proof system to eliminate any possibility of bogus entries in the electoral rolls.' He further held that it was a 'historic moment' in the electoral history that the first phase of this national task was completed and Nadra provided verified and augmented data pertaining to 2007 Electoral Rolls that contained variances in terms of errors, as well as multiple and unverified entries. Nadra's analysis confirmed the genuineness of the complaints and unravelled startling revelations that out of a total 81.2 million voters registered in 2007, Nadra verified only 44.02 million.⁽¹¹²⁾ Ishtiaq appreciated the preparatory functions of the ECP prior to the 2013 elections in Pakistan. He elaborated that 2013 General Elections were the largest in Pakistan's electoral history with the ECP introducing reasonable initiatives before elections which included the following: the introduction of Electoral Rolls with photographs of voters and their NIC numbers to identify the validity of thumb impression; training and orientation of all temporary election staff; the increase in the number of polling stations; introduction of a Code of Conduct for political parties and candidates along with four other codes covering election observers, polling personnel, polling officials and the media; campaign monitoring; and the tabulation of gender-disaggregated data among others.⁽¹¹³⁾

Despite prevailing doubts among the political parties and the electorate regarding the holding of elections in 2013, the ECP felt satisfied with the role it played during the 2013 elections. According to Ishtiaq, there were doubts due to fear and uncertainty created by terrorist attacks. Serious doubts were expressed till the polls day on whether or not it would be possible to hold the elections. The ECP not only conducted the elections in time but also used the media to dissuade the stakeholders from rigging. On 11 May 2013, the people of Pakistan exercised their right of franchise as a result of which the first ever smooth transition of power took place from a civilian government to another civilian government. Ishtiaq held that in September 2012, the ECP held a meeting with all the political parties of Pakistan. All of the political cadres, according to him, had 'extreme confidence' in the ECP and suggested that instead of an interim government, the ECP itself should act as an interim government. He opined that the same trust was maintained during the previous elections which proved to be the best example of conducting free, fair and credible elections. He emphasized that international observers too were unanimous in their opinions that the 2013 elections in Pakistan were transparent, credible and reliable as compared to all previous elections.⁽¹¹⁴⁾

Can Pakistan learn any lesson from the elections held in India in 2014? Indian elections in 2014 were completed in nine phases having been spread over two months. They were largely successful with the participation of over 500 million voters. There were neither any allegations of rigging nor any complaints of someone stealing the mandate away. In India, a peaceful transfer of power

occurred compared to Pakistan, where politics became chaotic after the 2013 elections. Until early 2015, several political parties in Pakistan have complained that the 2013 elections were neither fair nor free. Yet, the government has not fully addressed the allegations of the political parties that injustice was done to them through rigged elections.⁽¹¹⁵⁾

Political drivers in India must be complimented for their concerted efforts to strengthen democracy. The ECI and the general public have a trust relationship; unfortunately, this bond seems to be quite thin in Pakistan. The chart below shows a clear difference between the voter turnouts in both countries.

Table 1
Voter Turnout Data for India

Year	Voter Turnout	Total vote	Registration	VAP Turnout	Voting age population	Population	Invalid votes	Compulsory voting
2014	66.40%	553,801,801	834,101,479	70.29%	787,860,328	1,236,344,631		No
2009	58.17%	417,037,606	716,985,101	56.45%	738,773,666	1,156,897,766	0.05%	No
2004	58.07%	389,948,330	671,487,930	60.91%	640,182,791	1,049,700,118	0.10%	No
1999	59.99%	371,669,104	619,536,847	65.69%	565,780,483	986,856,301	1.91%	No
1998	61.97%	375,441,739	605,880,192	67.45%	556,651,400	970,933,000	1.86%	No
1996	57.94%	343,308,035	592,572,288	61.08%	562,028,100	952,590,000	2.44%	No
1991	56.73%	282,700,942	498,363,801	57.23%	493,963,380	851,661,000	2.43%	No
1989	61.98%	309,050,495	498,647,786	65.18%	474,143,040	817,488,000	2.68%	No
1984	63.56%	241,246,887	379,540,608	64.61%	373,371,000	746,742,000	2.51%	No
1980	56.92%	202,752,893	356,205,329	62.35%	325,162,040	663,596,000	2.43%	No
1977	60.49%	194,263,915	321,174,327	64.67%	300,392,640	625,818,000	2.75%	No
1971	55.25%	151,296,749	273,832,301	57.22%	264,393,600	550,820,000	3.20%	No
1967	61.04%	152,724,611	250,207,401	63.11%	241,996,800	504,160,000	4.47%	No
1962	55.42%	119,904,284	216,361,569	54.42%	220,324,090	449,641,000	3.94%	No
1957	62.23%	120,513,915	193,652,179	61.15%	197,090,250	402,225,000		No
1952	61.17%	105,950,083	173,212,343	58.92%	179,830,000	367,000,000		No

Table 1.1
Voter Turnout Data for Pakistan

Year	Voter Turnout	Total vote	Registration	VAP Turnout	Voting age population	Population	Invalid votes	Compulsory voting
2013	53.62%	46,217,482	86,189,802	41.72%	110,782,605	193,238,868		No
2008	44.55%	35,610,001	79,934,801	38.77%	91,856,744	164,741,924	2.70%	No
2002	41.80%	29,829,463	71,358,040	38.93%	76,627,450	144,616,639	2.60%	No
1997	35.17%	19,058,131	54,189,534	31.47%	60,565,705	137,649,330	2.30%	No
1993	40.28%	20,293,307	50,377,915	37.56%	54,032,880	122,802,000	1.30%	No
1990	45.46%	21,395,479	47,065,330	43.40%	49,301,560	112,049,000	1.10%	No
1988	43.07%	19,903,172	46,206,055	42.91%	46,379,960	105,409,000	1.50%	No
1985	52.93%	17,250,482	32,589,996	41.71%	41,357,400	96,180,000	2.40%	No
1977	55.02%	17,000,000	30,899,152	46.94%	36,213,120	75,444,000		

Source: Adapted from Institute for Democracy and Electoral Assistance (IDEA)⁽¹¹⁶⁾

Pakistan has had a history of rigged elections. In 1977, Zulfikar Ali Bhutto – a Machiavellian but genuinely popular political leader – decided to rig the elections and won. The opposition took to the streets to protest even though like now it was generally accepted that the fraud would not have had any impact on the outcome.⁽¹¹⁷⁾ Imran Khan's protest against rigged elections of 2013 was a recurrence of the earlier protests against Bhutto. Khan's *dharna* (sit-in) lasted for a record breaking 126 days eventually ending on 17 December 2014.⁽¹¹⁸⁾ As a response to the protests against rigging, the government called in the army invoking Article 245 of Constitution.⁽¹¹⁹⁾ On the contrary, in India the process of democracy has not only 'taken roots but it has spread wide and deep' due to certain processes such as 'independent voting' and the country's 'embracing press demands.'⁽¹²⁰⁾

Complaints in elections have been a regular feature throughout the world, not just in Pakistan. According to Ishtiaq, Pakistan needed a 'more robust post-election dispute resolution mechanism. According to the Constitution of Pakistan, Articles 2-5 enunciate that post-election disputes should be resolved by the tribunals. In the Representation of People Act 1976, Article 103A stipulates that after elections the ECP would serve as a tribunal to resolve the petitions within 60 days. In the 2013 elections, different political parties filed around 500 petitions; ECP resolved 80% of them within 60 days. However, those requiring detailed inquiry had to go the Election Tribunals. Concerning Pakistan Tehreek-e-Insaf's (PTI) rigging allegations, Ishtiaq held that proper mechanism should have been constructed and justice should have been dispensed in time. Moreover, decisions from the tribunals should not be taken or rejected on the mere basis of technical grounds. The basic purpose of dispute resolution is to provide speedy justice and to readdress genuine grievances of the complainants. He further added that if justice is not provided in time, it can seriously arouse a sense of injustice and resentment in the society. While all genuine grievances contained in the election petition must be addressed, putting a question mark on the whole process based on complaints in few constituencies could have serious implications for democracy. If election results are not accepted, without logical grounds, the very purpose of holding elections is defeated.⁽¹²¹⁾

In response to a query, Ishtiaq reiterated that 'an efficient Election Commission was one which looked for electoral reforms immediately after the elections' – a task which the ECP undertook. According to him, immediately after the elections, several meetings were held with ROs, DROs, presiding officers and other technical staff including international observers, which led to the identification of new electoral reforms leading to the formulation of a thorough Strategic Plan (2014-2018).⁽¹²²⁾ The Plan was also presented before the 33-member parliamentary committee constituted in 2014 to introduce electoral reforms.

The ECP developed its first Strategic Plan (2010-2014), based on consultations with voters, political parties, civil society and international stakeholders under the umbrella of the Election Support Group. The strategic plan consisted of 15 goals, which covered various aspects of electoral operations

and procedures, legal reform, stakeholder outreach and internal organizational reform and capacity building. According to the International Foundation for Electoral System's (IFES) assessment, by December 2012, three years into the five-year implementation period, the ECP had achieved approximately 80% of its strategic plan.⁽¹²³⁾

On electoral reforms, the UNDP held seminars in all of Pakistan's provinces with representatives of the civil society, academia, youth and women. The representatives agreed that urgent measures needed to be taken to 'increase the number of women candidates (such as the introduction of legislation making it a legal requirement for parties to allocate 10 percent of the tickets for general seats to women) and for candidate nomination procedures in political parties to be subject to democratic selection process.'⁽¹²⁴⁾ In India, the various electoral reforms have been recommended regarding the issue of women in politics along with the establishment of democracy within the various political parties. India has, nevertheless, not yet implemented many recommendations in this regard.

The quality of democracy within political parties has impacted on the quality of democracy within a particular country. Political parties are the building blocks of a democratic structure and if parties become subservient to individuals, with decisions being made undemocratically without involving the decision-making structures within the party, the national democratic structure becomes hostage to a few individuals. Within this context, institutions such as the Parliament lose the ability to continue functioning as an important institution with genuine representation, people-centric legislation and management.

While carrying out this assessment, PILDAT maintains that Pakistan's political parties have been often victimized during Martial Law when parties were outlawed, their bank accounts were blocked, their leaders were jailed, party officials were forced to abandon their parties and join official patronage. These repressive measures have not allowed political parties to grow into strong institutions which democratic traditions nurtured.⁽¹²⁵⁾

The Steering Committee of PILDAT devised 13 indicators to assess democracy within political parties 'objectively and scientifically.' Eight major political parties were selected for the assessment. Five of these parties held the largest number of seats in the National Assembly. A party-wise account of each of the 13 indicators was compiled after collecting data from the various sources including the political parties. This account, then, became the basis for quantitative assessment (scoring) for the parties.⁽¹²⁶⁾ According to the scores assigned to the selected eight political parties, the list of parties in the order of most democratic to least democratic included Jamaat-e-Islami (56%), the PTI (49%), the Awami National Party (ANP) (46%), the Jamiyat-e-Ulema-Islam (JUI-F) (43%), the National Party (NP) (43%), the Mutahida Qaumi Movement (MQM) (42%), the Pakistan's People Party (PPP) (34%) and the Pakistan Muslim League-Nawaz (PML-N) (32%). Jamaat-e-Islami was rated as the most democratic party. Apparently, regular party election, regular change in top leadership, lack of dynastic leadership in the party favoured the party to be rated as the most democratic. The following table presents the consolidated scores under each indicator of eight political parties:

Indicator	Percentage Score (%)								
	PML-N	PPP/P	PTI	MQM	JUI-F	JI	NP	ANP	Average
1. How much democracy does the constitution guarantee within the party? (10 Marks)	53	50	62	45	59	57	50	55	54
2. How regularly and competitively does the party hold intra-party elections? (10 Marks)	34	35	64	39	49	62	52	55	49
3. How effective are the various bodies of the party and how frequently do they meet? (10 Marks)	25	35	45	49	48	64	47	48	45
4. How far were local party organizations involved in deciding the party candidates for the past National and Provincial Assembly elections? (10 Marks)	24	25	42	40	44	44	38	44	38
5. How regularly the parliamentary party meetings take place during the sessions of the Senate, National Assembly and Provincial Assemblies? (5 Marks)	37	45	57	63	58	63	48	55	53
6. How regularly does the party hold its annual convention? (5 Marks)	20	25	34	38	43	52	40	40	37
7. How far does the party discourage the tradition of dynastic leadership? (5 Marks)	14	14	57	48	35	86	51	42	43
8. How often has the top-most party leadership changed during the past 10 years without the death of the party chief? (5 Marks)	11	12	20	18	29	80	66	40	35
9. How wide is the funding base and how credible are the audited accounts of the party? (10 Marks)	28	31	48	33	31	48	32	30	35
10. How far is dissent tolerated within the party? How democratic was the procedure of disciplinary action, if any, against dissenting party officials? (5 Marks)	37	37	26	12	42	48	40	48	36
11. How democratic is the decision-making process on important questions of policy? How democratic was the decision-making on the three most important decisions taken by the party during the past one year? (5 Marks)	26	32	37	28	45	48	35	46	37
12. How active is the role and participation of women, youth and minorities in the party? (5 Marks)	48	66	77	69	46	37	29	46	52
13. How comprehensive and up-to-date is the party website? How frequently is it updated? (5 Marks)	58	32	63	57	23	51	25	45	44
Overall Percentage Score (%)	32	34	49	42	43	56	43	46	43

Source: Adapted from Pildat's Report, Assessing Internal Democracy of Major Political Parties of Pakistan.⁽¹²⁷⁾

In Pakistan, electoral reforms have not been implemented, which could have effectively restrained the criminalization of politics and ended the nexus between black money, mafia and muscle power in General Elections. Among miscellaneous reforms, there is a debate in Pakistan on the usage of Electronic Voting Machines (EVMs), while India has already introduced these machines. The benefit of EVMs is that it improves the accuracy and speed of counting and results transmission. On the other side, EVMs are expensive and could negatively impact on credible election transparency. Recently, in November 2014, the ECP's Director General Information Technology Khizar Aziz revealed that the software used by EVMs could be manipulated to affect the results. He said that EVMs installed at polling stations were vulnerable to hacking via Bluetooth signals and other forms of wireless connectivity. Moreover, EVMs could even be tampered with while in storage.⁽¹²⁸⁾

Before 2013 General Elections in Pakistan, a feasibility study on the use of electronic voting machines (EVM) was conducted and many EVM demonstrations were organized for political parties so that an informed decision was taken. Ishtiaq believed that electronic technicalities like EVM and biometrics needed to be introduced which would make Pakistan's electoral system 'more refined and fool proof'.⁽¹²⁹⁾ Nevertheless, it is essential for Pakistan's decision makers to carefully weigh EVMs' potential benefits and risks before introducing these machines in the country.

In a seminar held in Islamabad, the author commented that in Pakistan, central to the success of Electoral Reforms has been the lack of implementation of the proposed reforms. Indeed, a plethora of recommendations regarding electoral reforms have persisted but the issue of implementation has been firmly neglected. Effective implementation of electoral reforms has required steadfast political commitment from all the political parties along with strong, empowered, independent and resourceful Election Commission of Pakistan. It will be very difficult to implement electoral reforms in Pakistan unless the Election Commission of Pakistan became truly independent of the governments in power – from the influence of the administration, bureaucracy and police both before and after elections –and unless there existed mechanisms for acquiring financial resources from an independent fund. The Election Commission of India has been empowered by the political parties, media, the civil society as well as the general public who so far have accepted the results of all general elections and State level elections. Yet, India has been trying to make its Election Commission even more independent through electoral reforms. Pakistan also needs to move in a similar direction.⁽¹³⁰⁾

Chohan was optimistic about the future of Pakistan's electoral system. 'Our nation has latent talents and our society is [undergoing] a rapid transitional phase compared to others.' According to him, indicators like education, awareness, vibrant media, social justice and economic progress could enhance the performance of both the ECP and the electorates.⁽¹³¹⁾ Regarding the future of Pakistan's electoral system, Ishtiaq was of the view that the next two years shall be completely dedicated to fresh population census, which is due since 2008. Also, that renewed de-limitation of constituencies shall be carried out on the basis of fresh population census.⁽¹³²⁾

This section has discussed the lessons that Pakistan could learn from the democratic processes in India. Within this context, it has especially highlighted the need for further empowerment and independence of Pakistan's Election Commission, which can ensure the transparency and fairness of elections. Pakistan, moreover, needs to introduce electoral reforms, which would encourage internal democracy within political parties as well as the auditing of the latter's accounts, and aim attending the strong linkage between politics and criminalization, along with the implementation of miscellaneous reforms. Recommendations on electoral reforms are one matter; their implementation is quite another. Unless the government has strong enough will to carry through reforms via effective legislation, followed up with its enforcement, democracy in Pakistan will remain a myth.

Conclusion

This paper has explored the intricate linkages between the Indian Election Commission, electoral reforms and democracy in India. The lessons that Pakistan could learn from the Indian experience of democracy have also been elaborated upon. Ever since 1947, India has had a history of uninterrupted democracy while Pakistan has had a long history of military rule with intermittent phases of democracy. Democracy is a complex web of connections among the individual politicians, political parties, the electorate, civil society, media and state institutions that is formed through the electoral process. The roots of Indian democracy have been strengthened due to the establishment and consolidation of the Indian Election Commission through the Constitution of India and the Parliament. The trust invested by the politicians, the public, civil society and the media, invested in this Commission have further empowered it. Despite this, the Election Commission requires still greater independence. This has become a highly significant aspect of the discourse on electoral reforms in India.

Thanks in large part to the media's effectiveness, there is growing awareness and expanded consciousness in Indian society of the prevalent flaws in their democracy. Within this context, there has been a pressing emphasis since the 1980s on electoral reforms that would make Indian democracy more efficient, transparent and relatively free from pressures of communalism, casteism, ethno-centrism, gender along with class based concerns. What is especially needed are electoral reforms that deal with the independence of the Election Commission, prevent the criminalization of politics and the politics of criminalization, and promote the cleansing of the political parties themselves. Among the miscellaneous issues requiring electoral reforms are gender issues as well as technical issues that can enhance further transparency in Indian democracy.

Why and what does Pakistan need to learn from the practice of Indian democracy? As a nascent and fragile democracy, Pakistan needs to study the institutionalization of democracy in India. In particular, our country needs to further enhance the power of its own election commission through independent funding as well as its empowerment through the media, public, civil society and the political parties. In this regard electoral reforms would serve to increase the trust of the electorate and the politicians alike in the Election Commission, which would, in turn, make Pakistan's democracy more transparent. Moreover, following the Indian example, Pakistan needs to prevent the criminalization of politics through its own electoral reforms. Such reforms would ideally break the nexus between politics and crime created by black money, muscle men, violence, mafias etc. Finally, Pakistan must also increase the transparency in the political parties themselves through electoral reforms. Such reforms should ideally deal with the question of holding internal elections within political parties and with carrying out an audit of their accounts among others. In a nutshell, democracy, as a model of governance, has been so very complex that every age and territory has had to discover its own merits and its own flaws in

the political structure and invent new ways to deal with these in its own way — and so extend the journey of electoral reforms from one century to the next.

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