

# **THE STATE OF SECTARIANISM IN PAKISTAN**

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## THE STATE OF SECTARIANISM IN PAKISTAN

### EXECUTIVE SUMMARY AND RECOMMENDATIONS

Sectarian conflict in Pakistan is the direct consequence of state policies of Islamisation and marginalisation of secular democratic forces. Co-option and patronage of religious parties by successive military governments have brought Pakistan to a point where religious extremism threatens to erode the foundations of the state and society. As President Pervez Musharraf is praised by the international community for his role in the war against terrorism, the frequency and viciousness of sectarian terrorism continues to increase in his country.

Instead of empowering liberal, democratic voices, the government has co-opted the religious right and continues to rely on it to counter civilian opposition. By depriving democratic forces of an even playing field and continuing to ignore the need for state policies that would encourage and indeed reflect the country's religious diversity, the government has allowed religious extremist organisations and jihadi groups, and the madrasas that provide them an endless stream of recruits, to flourish. It has failed to protect a vulnerable judiciary and equip its law-enforcement agencies with the tools they need to eliminate sectarian terrorism.

Constitutional provisions to "Islamise" laws, education and culture, and official dissemination of a particular brand of Islamic ideology, not only militate against Pakistan's religious diversity but also breed discrimination against non-Muslim minorities. The political use of Islam by the state promotes an aggressive competition for official patronage between and within the many variations of Sunni and Shia Islam, with the clerical elite of major sects and subsects striving to build up their political parties, raise jihadi militias, expand madrasa networks and, as has happened on Musharraf's watch, become part of government. Like all other Pakistani military governments, the Musharraf administration has also weakened secular and democratic political forces.

Administrative and legal action against militant organisations has failed to dismantle a well-entrenched and widely spread terror infrastructure. All banned extremist groups persist with new labels, although old names are also still in use. The jihadi media is flourishing,

and the leading figures of extremist Sunni organisations are free to preach their jihadi ideologies. Leaders of banned groups such as the Lashkar-e-Tayyaba, Sipah Sahaba and Jaish-e-Mohammed appear to enjoy virtual immunity from the law. They have gained new avenues to propagate their militant ideas since the chief patrons of jihad, the Jamiat Ulema-e-Islam (JUI) and the Jamaat-i-Islami (JI), have acquired prominent and powerful roles in Musharraf's political structure.

The Islamisation of laws and education, in particular, graphically illustrates the Sunni sectarian bias of the Pakistani state. General Zia-ul-Haq's Islamic penal code, retained by General Musharraf, is derived entirely from classical Sunni-Hanafi orthodox sources. The same is true of "Islamic" textbooks in public schools and colleges. The Shia minority -- and, in some cases, even the majority Sunni Barelvi sect -- is deeply resentful of this orthodox Hanafi Sunni bias in state policies. Within Sunnism itself, the competition for state patronage and a share in power has turned minor theological debates and cultural differences into unbridgeable, volatile sectarian divisions. After decades of co-option by the civil-military establishment, Pakistan's puritanical clergy is attempting to turn the country into a confessional state where the religious creed of a person is the sole marker of identity.

Except for a few showcase "reformed" madrasas, no sign of change is visible. Because of the mullahs' political utility, the military-led government's proposed measures, from curriculum changes to a new registration law, have been dropped in the face of opposition by the MMA (Muttahida Majlis-i-Amal) and its madrasa subsidiaries. Instead, financial and political incentives to the mullahs have raised their public profile and influence. The government's approach towards religious extremism is epitomised by its deals with extremists in the tribal areas, concluded through JUI mediation after payment of bribes to militant leaders.

The anomalous constitutional status and political disenfranchisement of regions like the Federally Administered Tribal Areas (FATA) and the Northern Areas have turned them into sanctuaries for sectarian

and international terrorists and centres of the arms and drugs trade.

Parallel legal and judicial systems, which exist in many parts of the country with the blessing of the state, undermine the rule of law. The reform of discriminatory laws and procedures has, at best, been cosmetic -- they remain open to abuse by religious fanatics. Bereft of independence, the judiciary is unable to check the rising sectarian violence. Subjected to political interference, an inefficient police has become even more incapable of dealing with sectarian terrorism.

President Musharraf's lack of domestic legitimacy has forced the military to rely on alliances of convenience with the religious right, based on the politics of patronage. In the absence of international support, moderate, secular and democratic parties will remain in the political cold. The choice that Pakistan faces is not between the military and the mullahs, as is generally believed in the West; it is between genuine democracy and a military-mullah alliance that is responsible for producing and sustaining religious extremism of many hues.

Given the intrinsic links between Pakistan-based homegrown and transnational terrorists, the one cannot be effectively contained and ultimately eliminated without acting against the other. The government's unwillingness to demonstrate political will to deal with the internal jihad could cost it international support, much of which is contingent upon Pakistan's performance in the war against terrorism. The U.S. and other influential actors have realised with regard to their own societies that terrorism can only be eliminated through pluralistic democratic structures. Pakistan should not be treated as an exception.

## RECOMMENDATIONS

### To the Government of Pakistan:

1. Recognise the diversity of Islam in Pakistan, reaffirm the constitutional principle of equality for all citizens regardless of religion or sect, and give meaning to this by taking the following steps:
  - (a) repeal all laws, penal codes and official procedures that reinforce sectarian identities and cause discrimination on the basis of faith, such as the mandatory affirmation of religious creed in applications for jobs, passports and national identity cards;
  - (b) repeal the Hudood laws and the blasphemy laws;
2. Disband, in furtherance of Article 256 of the constitution, all private militias, including those organised for sectarian and jihadi causes.
3. Make curbs on sectarian leaders and extremist groups more effective by:
  - (a) publicising the evidence for banning jihadi groups;
  - (b) implementing the laws against hate-speech and incitement of communal violence;
  - (c) taking legal action against the administration of any mosque or madrasa or religious leader responsible for verbal or written edicts of apostasy;
  - (d) taking legal action against the administration of any mosque or madrasa whose leader calls for internal or external jihad;
  - (e) cancelling the print declarations (licences) of jihadi publications and prosecuting the publishers;
  - (f) closing down madrasas run by sectarian and jihadi organisations; and
  - (g) ending registration of new madrasas until a new madrasa law is in place, and registering all madrasas under this new law, including those currently registered under the Societies Act.
4. Appoint prayer leaders and orators at mosques and madrasas run by the Auqaf Department (the government department of religious endowments) only after verifying that the applicant has no record of sectarian extremism, and dismiss those sectarian leaders who are employees of the Auqaf Department.
5. Review periodically the activities of all government appointed clergy and strictly enforce the ban on loudspeakers used in mosques other than for permitted religious activities.
6. Implement police and judiciary reforms, including the following:
  - (c) disband privately-run *Sharia* courts in the North West Frontier Province (NWFP) and take action against religious organisations operating them;
  - (d) do not use *zakat* or other sources of government funding to finance the activities, educational or otherwise, of any sect; and
  - (e) purge Islamic Studies textbooks of sectarian material that promotes or undermines specific sects.

- (a) ensure institutional independence and guarantees against political interference;
  - (b) guarantee the physical security of judges presiding over cases of sectarian terrorism; and
  - (c) end the political and policing role of intelligence agencies and establish parliamentary oversight of their activities.
7. Use federal prerogative to veto the MMA's Islamisation agenda, including the Hasba Bill.
  8. Provide constitutional and political rights to the Federally Administered Tribal Areas (FATA) and the Northern Areas by:
    - (a) doing away with their special status and deciding on a final constitutional and legal status after negotiations with their directly elected representatives;
    - (b) granting decision-making powers and local administrative and legislative authority to the Northern Areas Council;

- (c) setting up and linking courts in these areas to Pakistan's mainstream judicial institutions; and
- (d) ending the practices of raising tribal *lashkars* and paying bribes to militants.

9. Regulate the arms industry in FATA to prevent the proliferation of weapons countrywide.

**To the United States and the European Union:**

10. Press the Musharraf government to carry out its commitment of introducing a madrasa registration regime and instituting a regulatory authority in conformity with international conventions on terrorism and extremism.
11. Urge the Pakistan government to repeal discriminatory legislation that targets women and minorities.

**Islamabad/Brussels, 18 April 2005**

## THE STATE OF SECTARIANISM IN PAKISTAN

### I. INTRODUCTION

*Religious militias calling themselves Sipahs, Jaishes and Lashkars cannot exist parallel to the army...our army is the only Sipah and Lashkar in Pakistan.*

-- General Pervez Musharraf, at an interfaith conference in Islamabad<sup>1</sup>

Lauding the Pakistan military's recent operations in South Waziristan, the Bush administration has called the military-led government an exemplary partner in the fight against terrorism.<sup>2</sup> However significant the Musharraf government's successes against al Qaeda -- including some 600 arrests -- its record against Pakistani terrorist organisations is far from impressive. Belying the president's claims that "our cities have been almost cleared of terrorists" and his government has "broken the back of terrorism",<sup>3</sup> Pakistan's sectarian organisations, many with close links to al Qaeda, have continued to flourish. These sectarian extremists are simultaneously fighting internal sectarian jihads, regional jihads in Afghanistan and Indian-administered Kashmir, and an external jihad, against the West in general and more specifically against the U.S.. The focus of this report is on sectarian terrorism in Pakistan and its regional and international implications.

After every bloody sectarian attack, the police and intelligence agencies round up hundreds of suspects. Many leading sectarian terrorists have also been killed,

more often than not in staged police "encounters".<sup>4</sup> Yet, such attacks continue to take place countrywide, casting a pall of fear on public life and undermining the security of the Pakistani citizen and state.

This failure to take effective action against sectarian extremists has another, international dimension, since homegrown sectarianism has close links to transnational terrorism. Pakistan may have arrested or killed more al Qaeda suspects than any other country, but many of those al Qaeda suspects have had direct or indirect links with domestic jihadi outfits and religious parties.<sup>5</sup> Pakistan-based terrorists, foreign or domestic, are two faces of the same coin.

Religious sectarianism is, in fact, the principal source of terrorist activity in Pakistan. Shia and Sunni zealots have killed more than 2,000 and maimed thousands in the last twenty years. The Musharraf government's failure to deal with this threat is more than evident. With more than 200 dead, 2004 was one of the bloodiest years on record.<sup>6</sup>

The description generally used for religious violence in Pakistan -- conflict between its majority Sunni and minority Shia communities -- is misleading. Pakistan's sectarian landscape is far too complex to be reduced to a simple binary division since there are a multitude of Sunni and Shia sub-sects, local cultural variants and cults, and rival religious traditions. Although the conflict between Deobandi and Shia extremists has been principally responsible for fuelling sectarian terrorism in recent decades, the phenomenon of sectarianism is present in other forms and has the potential to surface in other variations in the future.

<sup>1</sup> *Sipah, Jaish and Lashkar* (the words mean "army") are prefixes used by various jihadi and sectarian groups. For example, the anti-Shia Sipah Sahaba means the "Army of the companions of the Prophet".

<sup>2</sup> According to State Department spokesman Richard Boucher, the U.S. Secretary of State, Condoleezza Rice, expressed appreciation after meeting with President Musharraf in March 2005 for his "superb support in the war on terror". Patrick Goodenough, "Rice praises Pakistan for Anti-Terror Support", CNSNews at <http://www.cnsnews.com/ViewForeignBureaus.asp?Page=%5CForeignBureaus%5Carchiv...> 4/11/2005.

<sup>3</sup> "Musharraf sees closer relationship with U.S.", *Dawn*, 6 December 2004.

<sup>4</sup> "Encounter" is a euphemism used by the police to justify extra-judicial killings. For example, the police declared that Riaz Basra, the leader of the Lashkar-e-Jhangvi (LJ), was killed in an "encounter" in 2002, at a time when he was reportedly in the custody of the law-enforcement agencies. In off-the-record conversations, police officials justify such "encounters" on the grounds that the legal process is too cumbersome to deal effectively with sectarian terrorists.

<sup>5</sup> For example, "All al-Qaeda Men Taken from Religious Parties' Offices: Faisal", *Daily Times*, 14 August 2004.

<sup>6</sup> Figures compiled by Crisis Group. 270 people were killed in 2001, the worst year so far.

This report reviews the permutations of sectarian politics, highlights the state's role in determining the directions of sectarian conflict and analyses the local socio-political milieu of sectarianism by focusing on some of the more volatile regions. Finally, it assesses the Musharraf government's performance in curbing religious extremism in the context of its domestic and external policies and implementation of its international commitments.

## II. THE SECTARIAN LANDSCAPE

By official estimates, 96 per cent of Pakistan's population is Muslim.<sup>7</sup> There is no official data on sectarian identity since the state prefers to paint a picture of religious homogeneity to justify having adopted Islam as the official religion. By an unofficial estimate, 75 to 80 per cent of the Muslim population is Sunni and 15 to 20 per cent Shia.<sup>8</sup>

Sunnis can be divided into four broad categories: Barelvis, Deobandis, Ahle Hadith and revivalist, modernist movements like the Jamaat-i-Islami (JI). The first three Sunni sub-sects emerged as religious educational movements in the nineteenth century during British rule in India. The JI came into being in the 1940s.<sup>9</sup> The Ahle Hadith is a small, ultra-orthodox, puritanical sect inspired by Saudi Wahhabism, which does not follow any of the four Sunni schools of jurisprudence.<sup>10</sup>

What is commonly called Sunni-Shia violence is more precisely a Deobandi-Shia conflict in which the Deobandis have appropriated the term Sunni for themselves and are supported in their anti-Shia jihad by the Ahle Hadith.

Although the Barelvis and the Deobandis follow the Hanafi school of Sunni jurisprudence, their interpretations of it radically differ. "Barelvis represent oral orthodoxy cushioned by devotional practices; Deobandis represent literate orthodoxy with a strict adherence to the classical

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<sup>7</sup> According to the 1998 census, 1.69 per cent are Christian; 2.02 per cent Hindu; and 0.35 per cent "others", such as Ahmadis. Source: [http://www.pak.gov.pk/public/govt/basic\\_facts.html](http://www.pak.gov.pk/public/govt/basic_facts.html). The 1998 census statistics are internally contested.

<sup>8</sup> Zaman cites various figures for Shia population ranging between 14 and 15 per cent. Qasim Zaman, "Sectarianism in Pakistan: Radicalisation of Shi'i and Sunni Identities", *Modern Asian Studies*, vol. 32 (Cambridge, 1998), p. 689.

<sup>9</sup> Deoband and Bareili are towns in Utter Pradesh, India. In 1867, a *Darul Uloom* (house of knowledge) was set up in Deoband with the objective of countering the "polluting" influence of Western ideas and Hindu culture through madrasa education. In 1897, Ahmed Raza Khan founded the Barelvi movement by establishing a madrasa in his hometown to counter the puritanism of the Deobandi madrasas. Abul A'ala Maududi formed the JI in the 1940s as a modernist, revivalist movement, while the Ahle Hadith originated in the nineteenth century and are inspired by the Wahhabi movement though they do not subscribe to the title. See Crisis Group Asia Report N°36, *Madrasas, Extremism and the Military*, 29 July 2002.

<sup>10</sup> Sunni Muslims follow one or the other of the following four ninth century Imams: Ahmed ibn Hanbal, Al-Shafi'i, Malik ibn Anas and Abu Hanifa.

texts of Islam".<sup>11</sup> These opposing Sunni sub-sects dominate Pakistan's religious sector.

The Barelvi-Deobandi divide can be best understood by their differing attitudes toward the Islam of the Sufi orders that was prevalent in South Asia much before Pakistan or sects such as the Deobandis and Barelvis came into existence.<sup>12</sup> The Barelvi school strives to preserve and promote this Islam of hereditary saints and its shrine culture. In this syncretic Sunni system, belief in intercession by the Prophet Mohammad and hereditary saints and initiation in a mystic order is the path to salvation. Shrines of saints are the centres of cultural and religious activity.

The Deobandi and Ahle Hadith schools reject these beliefs and practices, dismissing Pakistan's shrine culture as a form of idolatry. They also condemn and prohibit traditional marriage and death rites borrowed from local South Asian cultures, calling these Barelvi practices deviations from the true path. Modernist Islamist movements, led by the JI, also seek to purify Islam and restore it to its pristine form. These movements, too, see the traditional multicultural Sunni beliefs and practices as un-Islamic.

The pan-Islamist JI, which claims a supra-sectarian stance, has evolved into a separate Sunni group, based on the teachings of its founder, Abul A'la Maududi (1903-1979). All other Sunni subsects criticise Maududi's school for its modernism and lack of adherence to any of the established orthodox schools, though in its theological orientation, the JI has much in common with the Hanafi school.

These divergent Sunni religious movements have evolved over time into pressure groups, political parties and extremist organisations. The Sunni parties that represent Deobandi and Barelvi Islam in Pakistan were initially set up as associations of scholars educated at or affiliated with madrasas. The Deobandi *ulema's*<sup>13</sup> Jamiat

Ulema-e-Islam (JUI) is now divided into at least three factions. The Barelvi party, the Jamiat Ulema-e-Pakistan (JUP) also is faction ridden. The Jamiat Ahle Hadith (JAH) is the sect's main representative but dozens of other Ahle Hadith groups work independently. The Sipah Sahaba Pakistan (SSP),<sup>14</sup> the country's first anti-Shia militant group, and its offshoots such as the Lashkar-e-Jhangvi (LJ), currently responsible for most anti-Shia acts of terror, are exclusively Deobandi.

Every religious sect is bent on gaining the largest numbers of adherents. The Deobandi and Ahle Hadith have made some inroads at the expense of the majority Barelvi sect, with the agents of "internal conversions" including the Tableeghi Jamaat and Deobandi madrasa networks. Some Deobandi leaders now claim a majority; others, such as Ajmal Qadri, believe that the "Barelvi and Deobandi populations are now roughly equal".<sup>15</sup> Barelvis, whose shrine culture still dominates rural Punjab and Sindh, reject these claims.

Pre-eminence in the madrasa sector, a long tradition of publishing religious literature and more sophisticated organisational structures have helped the Deobandi sect emerge as the most articulate and politically dominant representative of orthodox Sunnism. However, the divide within Sunni subsects remains as wide as that between puritanical Sunnis and Shias. In fact, Sunni scholars in each subsect have a history of issuing edicts of apostasy against one another.

The Athna Ashari sect (the Twelvers) dominate Pakistan's Shia minority. Smaller variations of the Shia school include the Ismailis (followers of the Aga Khan), Daudi Bohras (followers of Syedna Burhanuddin) and their rivals Sulemani Bohras (followers of Masood Salehbahi).<sup>16</sup> The Shias share a devotion to shrines and saints with the Barelvis and other adherents of Sufi Islam.

The Shia community, too, has evolved into pressure groups, political parties and religious organisations. The main Shia party is the Tehrik-i-Islami (earlier called Tehrik-e-Jafaria Pakistan, until it was banned in 2002). The Sipah Muhammad Pakistan (SMP) -- the army of Muhammad -- is the Shia militant counterpart of the

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<sup>11</sup> Mohammad Waseem, "Origins and Growth Patterns of Islamic Organisations in Pakistan", in Satu P. Limaye, Mohan Malik, Robert G. Wirsing, eds., *Religious Radicalism and Security in South Asia*, (Honolulu, 2004) p. 31.

<sup>12</sup> The four major Sufi Orders are the Qadiriyya, the Suharwardia, the Naqshbandia and the Chishtia. Sufis and followers of Sufism are found not only in Barelvi and Shia Islam but also among some Deobandi sects. In fact, Ali, the Shia icon, is the prime source of spiritual guidance for almost all Sufi orders. Islam was introduced and popularised in the subcontinent by itinerant holy men and *pirs* (living saints) belonging to these orders, using, among other methods, cultural assimilation to proselytise among Hindus and other local communities.

<sup>13</sup> *Ulema*, the plural of *Alim* (a learned man) is commonly used to describe certified clerics.

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<sup>14</sup> The party was renamed Millet-e-Islami after it was banned in 2002, but its original name is still commonly used.

<sup>15</sup> Qadri heads a faction of the JUI. Crisis Group interview, Rawalpindi, September 2004.

<sup>16</sup> A vast majority of Shias follow twelve Imams, who were the progeny of Ali, the Prophet's cousin and son-in-law, and are thus called the Twelvers. Ismailis accept the authority of six of those Imams and believe in the continuity of the Imamate through the Aga Khan family.



Deobandi SSP.<sup>17</sup> More than 70 per cent of those killed in sectarian violence since 1985 have been Twelver Shias, whose religious rituals and gatherings are prime targets of terrorist attacks.<sup>18</sup>

There was a brief period, following the Iranian revolution, when Shias, responding to the sponsorship of Sunni extremism by Pakistan's leader, General Zia-ul-Haq, quite aggressively promoted and defended their belief system. The zeal for an Iran-like Shia revolution has since died down. Shia militancy and political activism is now primarily a defensive response to Deobandi militancy.

Though Shia Islam in Pakistan is sectarian, and can be both aggressive and rebellious in response to perceived threats to the faith, Shia political parties have generally supported mainstream secular parties. Shias backed the Pakistan People's Party (PPP) in the 1970s and entered into a more formal alliance with it in the early 1990s. Later, the main Shia party, the Tehrik-e-Jafaria Pakistan, joined hands with the Pakistan Muslim League (Nawaz) (PML-N). Today its newest incarnation, the Tehrik-e-Islami is a member of the MMA, an alliance with five Sunni politico-religious parties that is likely to be temporary, forged as it is on the grounds of political expediency. A distinct Shia communalism remains the basis of Tehrik-e-Islami's organisation and activism.

In fact, all Sunni and Shia religio-political parties, movements and extremist organisations operate on the principle of exclusion. They compete for the souls of ordinary Muslims and aggressively proselytise through their *dawa* (preaching) organs. Each group has its own networks of madrasas, whose curricula are diametrically opposed to one another, thus serving to reinforce Pakistan's sectarian divide.<sup>19</sup> Their mosques are mutually exclusive and the religious rituals of each sect/sub-sect are markedly different. They do not even pray together, except on the occasion of *Hajj*. Turf wars among rival clerics are the defining characteristic of Pakistani religious activism. More significantly, each sect and movement attracts followers from different social strata and regions.<sup>20</sup>

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<sup>17</sup> There are other Shia militant groups such the Mukhtar Force and the Sipah-e-Abbas but it is difficult to determine whether they are separate organisations or merely fronts for the SMP.

<sup>18</sup> Amir Rana, *A to Z of Jehadi Organisations in Pakistan*, (Lahore, 2004) p. 140.

<sup>19</sup> There are five madrasa unions: the Deobandi Wafaq al-Madaris, the Bareilvi Tanzeem al-Madaris, the Madaris al-Arabia Shia, the Wafaq al-Madaris al-Salafiya (Ahle Hadith) and the Rabita al-Madaris of the JI. For a detailed study of the madrasas system, see Crisis Group Report, *Madrasas, Extremism and the Military*, op. cit.

<sup>20</sup> Rural Punjab and Sindh is the domain of the shrine and saint culture represented by the Bareilvis. The NWFP and

In a nutshell, all Pakistani "Islamic" movements are sectarian even if they claim otherwise.

Sunni, particularly Deobandi, hostility toward Shias is fuelled by the latter's religious beliefs and practices. For Shias, Ali, cousin and son-in-law of the Prophet and the fourth caliph, is the central religious figure. They do not recognise the first three caliphs as legitimate successors of the Prophet.<sup>21</sup> Public display of mourning is an essential part of the Shia faith, particularly during *Muharram*, the first month of the Islamic calendar, when they commemorate the battle of Karbala (680, in Iraq) in which the Omayyads killed the Prophet's grandson, Hussain, and his family.

For Sunnis, especially Deobandis and Ahle Hadith, these Shia beliefs and ceremonies are an affront to their religious sensibilities. Bareilvi Sunnis are generally more tolerant of Shia rituals and even participate in their ceremonies. However, with the rise of sectarian militancy and violence, such occasions have become rare.

Deobandis have demanded a ban on all public Shia rituals. The more extremist among them, such as the SSP, have called for a constitutional amendment to declare Shias a non-Muslim minority, thus bracketing them with the Ahmadis, who follow a late nineteenth century Punjabi "prophet", Mirza Ghulam Ahmad, whom they believe was Jesus' reincarnation and Islam's promised messiah.<sup>22</sup> Religious and social orthodoxy in the Ahmadi community is as intolerant of the shrine culture as are the orthodox Sunni sects.

Shias as well as Sunnis have excommunicated the Ahmadis from the realm of Islam. After a sustained campaign by Sunni religious parties, the government designated the Ahmadis as non-Muslims through a

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Balochistan's Pashtun belt are the strongholds of the Deobandis, who also have a significant presence in urban Punjab and Sindh. Large Shia communities are found in Karachi, Southern Punjab and the Northern Areas. The JI recruits its cadre mainly from the educated urban population and also has pockets of influence in NWFP. The Ahle Hadith sect has followers in industrial, urban and semi-urban areas such as Karachi, Faisalabad and Gujranawala. Jamal Malik, *The Colonialisation of Islam: Dissolution of Traditional Institutions in Pakistan*, (Lahore, 1996) p. 7.

<sup>21</sup> The caliphs are Abu Bakr (632-634), Umar (634-644), Usman (644-656) and Ali (656-661).

<sup>22</sup> Although a small community, the Ahmadis, too, are divided into two groups: the Qadiani and Lahori. While the Qadiani Ahmadi sect believes that Ghulam Ahmad was a prophet and *Mehdi* (messiah), designating his descendents as caliphs, the Lahori group believes Mirza Ghulam Ahmad was a reformer and incarnation of Jesus but not a prophet. It has its own religious hierarchy and rejects the Qadiani system of hereditary caliphs.

constitutional amendment in 1974.<sup>23</sup> This was insufficient to satisfy militant Sunni extremists. Since the 1980s, the Ahmadis have been the victims of violent sectarian strife. In terms of social boycott and official discrimination, the Ahmadis are Pakistan's most repressed religious community. Other religious groups who claim to have roots in Islam but are rejected by mainstream sects include the Zikris (in Balochistan) and Bahais.

Given the complex nature of this sectarian landscape, where rival religious traditions representing Islam abound, sectarian violence in Pakistan extends far beyond the Deobandi-Shia divide.

### III. SECTARIAN RADICALISM

#### A. DOMESTIC EXTREMISM AND INTERNATIONAL TERROR

Pakistan confronts al Qaeda as well as homegrown sectarian terrorists but the divide between the two is artificial at best. Both are motivated by a distorted religious ideology, rely on terror tactics and make no distinction between civilians and combatants. Most al Qaeda adherents, foreign or local, have close connections with domestic jihadi organisations and some members of religious parties.

The trail of international terror has often led official investigators to the madrasas, mosques and offices of mainstream religio-political parties. Some of these parties are members of a broader political alliance, the MMA, which runs the government of the North West Frontier Province (NWFP) and shares power with the pro-Musharraf Pakistan Muslim League (Quaid-i-Azam) in Balochistan.<sup>24</sup> Musharraf's former Interior Minister, Faisal Saleh Hayat, has accused workers and leaders of the JI and JUI-F (Fazlur Rehman group), the two main MMA parties, of direct involvement with terror networks.<sup>25</sup> Some key al Qaeda figures, notably Khalid Sheikh Mohammad, were apprehended at the homes of JI religious leaders and activists.

The objectives and goals of Pakistani sectarian terrorists in the post-11 September world might be closer to those of transnational jihadis but the internal enemy still takes priority over the enemy without. "It is a two-track jihad", says a member of a banned Pakistani group. "The external enemy is known, his intentions against Islam and Muslims are no secret. But the internal enemy posing as Muslim, as Shias and others do, is more dangerous. Stopping internal enemies is our priority".<sup>26</sup>

There is an additional, regional, dimension to this landscape of sectarian terror. Wahhabi-influenced Pakistani Sunni sects are as anti-Iran as their Shia counterparts are hostile to Saudi Arabia and its official creed. The Barelvis, too, are at odds with Wahhabism and resent the Saudi government's religious practices. And through their backing for their chosen Pakistani sectarian allies, external forces, mainly Saudi Arabia and Iran, have

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<sup>23</sup> The amendment, incorporated in Article 106(3) of the constitution, reads: "A person who does not believe in the absolute and unqualified finality of The Prophethood of MUHAMMAD (Peace be upon him), the last of the Prophets, or claims to be a Prophet in any sense of the word or of any description whatsoever after MUHAMMAD (Peace be upon him), or recognises such a claimant as a Prophet or religious reformer, is not a Muslim for the purposes of the Constitution or law".

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<sup>24</sup> The MMA includes two factions of the Deobandi Jamiat Ulema-e-Islam (Fazlur Rehman and Samiul Haq groups); the Jamaat-i-Islami; the Jamiat Ahle Hadith; the Barelvi Jamiat Ulema-e-Pakistan; and the Shia Tehrik-e-Islami.

<sup>25</sup> "Faisal versus MMA", *Daily Times*, 17 August 2004.

<sup>26</sup> Crisis Group interview with Mohammad Anwar, former SSP activist, Faisalabad, August 2004.

also been instrumental in deepening Pakistan's sectarian divide.

## B. SPREADING THE WORD: MADRASA AND MOSQUE

The madrasa and the pulpit have been and remain the sectarian actor's instruments of choice. Indeed, the spread of sectarian movements and militancy is directly proportional to the size of the clergy-run sector of madrasas and mosques. Pakistan had 137 madrasas in 1947, increasing to 401 in 1960. The four madrasa unions ran 893 by 1971 (the JI had no madrasas till then), with the numbers increasing by 1979, according to official estimates, to 1,745 and then again to almost 3,000 by 1988. According to the latest official estimates (2003), there are now 10,430 madrasas in the country.<sup>27</sup>

Madrasa administrators, however, say that the largest clergy union, the Deobandi Wafaq al-Madaris, has 5,778 affiliated madrasas, with 2,573 smaller branches. Adding the numbers claimed by the other four unions and independent madrasas, the total is approximately 13,000.<sup>28</sup>

Growing poverty and lack of access to public schools has helped the four unions to expand their madrasas. Two surveys, one in 2002 and another for 2002-2003, found that the vast majority of students came from economically deprived backgrounds.<sup>29</sup>

The number of madrasa graduates (*maulanas*) specialising in religious polemics to defend and promote their respective sectarian ideologies has grown exponentially. By 1995, Pakistan had 20,000 *maulanas* with the highest madrasa certificate, in addition to 40,000 local religious scholars.<sup>30</sup> Since 1989, 30,000 more students have

appeared for the final exams conducted by the Deobandi Wafaq alone. A quarter of a million have passed the *Hifz* (memorisation of the Quran) test since 1989.<sup>31</sup> This swelling corps of *maulanas* has raised public consciousness of sectarian differences.

There are 58 registered religious political parties and 24 known militant groups.<sup>32</sup> Every major sub-sect has multiple political parties and subsidiary unions. According to an expert, Pakistan has as many as 245 religious groups, with over 100 focusing on external jihad and 82 on sectarian issues.<sup>33</sup> Each sect, large or small, fundamentalist or modernist, has had one or more militant outfits at different times to wage the internal (sectarian) and/or external jihad.

Being a Muslim in Pakistan is no longer the sole religious identity; orthodox Sunni circles require a denominational prefix. Even Prime Minister Shaukat Aziz had to identify his religious sect at his inaugural press conference in Islamabad. "I am a Sunni Muslim", he said, confronting rumours that he was a Qadiani (a member of the Ahmadi sect) and thus constitutionally ineligible for the post.<sup>34</sup> Aziz had to further identify his Sunni subsect by citing his family's religious rituals.

Mosque pulpits are used to incite people against religious minorities as well as other Muslim sects. Media of all sorts -- newspapers, audiotapes, pamphlets, handbills, party literature -- disseminate sectarian views widely. Controversies over religious syllabuses in schools often take a violent turn. In particular, professing and practising minority faiths is hazardous in the face of crusading clerics and a biased state system. Minorities -- Muslim and non-Muslim -- live in fear of persecution and violence.<sup>35</sup>

Terrorism is merely one facet of religious intolerance. Terrorists are a tiny minority of Pakistani fanatics. Social discrimination, legal bias and cultural repression, based on an individual's or a family's sectarian identity, is commonplace. In some cases, it is institutionalised.

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<sup>27</sup> Hafiz Nazar Ahmed, "Jaiza: Madaris-e-Arabia in West Pakistan" (Muslim Academy, Lahore, 1972); "Report of the National Committee for Deeni Madaris in Pakistan", Ministry of Religious Affairs, Government of Pakistan, Islamabad, 1979; Directory of Deeni Madaris, Ministry of Education, Islamabad, 2003; Wafaq al-Madaris (Urdu), August 2004; and Crisis Group Report, *Madrasas, Extremism and the Military* op. cit. There are no definitive statistics for mosques, although officials and *ulema* believe there are anywhere between 250,000 and 300,000.

<sup>28</sup> The JI has about 700 madrasas; the Bareilvi Tanzeem al-Madaris some 1,700 madrasas; Shias claim to have 500 madrasas; and the Ahle Hadith around 400. Crisis Group interviews with madrasa administrators.

<sup>29</sup> See *Deeni Madaris: Problems and Prospects* (Institute of Policy Studies, Islamabad, 2002) and Tariq Rehman, *IPRI Journal*, no.1, vol. 5, Winter 2005.

<sup>30</sup> Malik, op. cit. p. 232.

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<sup>31</sup> Monthly Wafaq al-Madaris, August 2004.

<sup>32</sup> Saeed Shafqat, "From Official Islam to Islamism" in Christophe Jaffrelot ed., *Pakistan: Nationalism without a Nation* (Paris, 2002) p. 133.

<sup>33</sup> Crisis Group interview with Amir Rana, author of *A to Z of Jehadi Organisations in Pakistan*, op. cit. Not all groups identified by Rana have a permanent organisational structure; many are issue-based and surface and disappear from time to time.

<sup>34</sup> "I am a Sunni Muslim, says Shaukat", *Dawn*, 1 July 2004.

<sup>35</sup> For details of violence against religious minorities, see "State of Human Rights in 2004", Human Rights Commission of Pakistan, Lahore, January 2005; and "The International Religious Freedom Report 2004", Bureau of Democracy, Human Rights and Labour, U.S. Department of State.

Pakistani governments, elected or authoritarian, are subjected to pressure by religious lobbies to extend concessions to or take action against their sectarian rivals. Demands range from enforcement of their version of the *Sharia* (religious law), through rival claims over mosques, excommunication of heretics and the removal of officials because of their faith. The clergy has played this game most effectively with authoritarian leaders, whose lack of legitimacy makes them susceptible to their demands.<sup>36</sup>

While extremist sections of the Shia and Sunni clergy, represented by groups such as the SSP and SMP, are frequently embroiled in violence, it bodes well for Pakistan that their communities still live in relative peace. The hatred, hostility and violence that characterise militant sectarianism have yet to gain popular, grassroots support.<sup>37</sup> Yet, this too could change if Pakistan's power brokers continue to exploit religion for political and geopolitical ends, opening up new vistas for sectarian extremism even as the political space of moderate forces continues to shrink.

#### IV. STATE-SANCTIONED EXTREMISM

##### A. SECTARIAN EXTREMISM AND THE STATE

*Pakistan is not a nation-state: it is an Islamic state.*

Niamatullah Khan, City Nazim (Mayor) and former chief of JI, Karachi<sup>38</sup>

"When a state claims a theocratic mission, it is bound to provoke conflicts over whose model shall prevail ...when religion is pushed explicitly into politics it becomes a currency of power".<sup>39</sup> The manner in which sectarian terrorism in Pakistan has been shaped and the forms it has taken are intrinsically linked to the state's role in politicising religion. It is, therefore, important to trace the origin and development of Pakistan's faith-based exclusionary politics and to assess the ways in which sectarian issues have figured in its constitutional and political history. It is also important to examine the political and sociological developments that have raised the clergy's political profile and intensified sectarian competition.

##### B. ROOTS OF RELIGIOUS EXTREMISM

Who is a Muslim? What statement of creed does a Muslim make? Such sectarian questions were not central to Muslim politics in British India. Sir Aga Khan III, the spiritual leader of Ismaili Shias, was the first president of the All India Muslim League, which later led the movement for Pakistan. Mohammad Ali Jinnah, Pakistan's founder, was a Shia and yet became the undisputed leader of Indian Muslims. Lucknow, in Uttar Pradesh, was the only town in British India where Sunni-Shia tensions were known to turn violent. That, too, was a rare occurrence.

The elite that had represented Muslims in the military, civil and political institutions of British India sought a new state to consolidate and expand their power on the grounds of religion. Lacking a popular support base in the new state they had created, the ruling Muslim League's leadership continued to use Islam to legitimise their power. This attempt to appropriate Islamic terminology and its ideological metaphors presented the *ulema*, mystics, mosques and madrasas, the traditional representatives of Islam, who had no representation in the new power structures, with an opportunity to make their political presence felt.

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<sup>36</sup> Marc Gaborieau, "Islam and the Pakistani Polity", in Soofia Mumtaz, Jean-Luc Racine, Imran Anwar Ali, eds., *Pakistan: the Contours of State and Society* (Oxford, 2002) p. 44.

<sup>37</sup> Mumtaz Ahmed, "Revivalism, Islamisation, Sectarianism and Violence in Pakistan", in Craig Baxter and Charles H. Kennedy, eds., *Pakistan 1997* (Delhi, 1998), p. 116.

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<sup>38</sup> Crisis Group interview, Rawalpindi, July 2004.

<sup>39</sup> Eqbal Ahmed, "The Conflict Within", *Dawn*, 15 February 1998.

Shabbir Ahmed Usmani, a Deobandi and the only religious scholar in the constituent assembly tasked to frame Pakistan's first constitution, had joined the Muslim League. He moved the Objectives Resolution, which was adopted by the assembly in March 1949 as the basis for a future constitution (and was incorporated in Pakistan's present constitution). It proclaimed that sovereignty over the universe belongs to Allah and that the authority delegated by Allah to Pakistan should be exercised in a manner that enables Muslims "to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam".<sup>40</sup>

*Ulema* like Usmani and the II's founder Maududi, themselves migrants to Pakistan, had very little popular support in either the West or the East wing. In West Pakistan (the territory of present day Pakistan) *Pirs*, mystic divines -- the hereditary custodians of shrines -- dominated the spiritual scene, especially in Punjab and Sindh, and political discourse was shaped far more by ethnicity and regionalism than by religion.

The mullahs and their religious parties were aware that an Islamic constitution would give them access to public policymaking. In their struggle for such a constitution, they drew their political methodology from the four major currents of Muslim thinking and activity in British India:

- mass agitation, such as the *Khilafat* movement and *Hijrat* movement (1920--1924) in the wake of the First World War;<sup>41</sup>
- institutions of Islamic learning, such as the madrasas at Deoband, Bareilly and Lucknow;
- revivalist movements, aiming to restore the past glory of Islam by going back to its fundamentals, such as the II; and
- mullah activism in the Pashtun tribal area adjoining Afghanistan, which had assumed the shape of local rebellion against colonial rule.<sup>42</sup>

Pakistani radical Islam has since encompassed all four strands, taking the shape of "street agitation, anti-Western intellectual discourse, religious scholarship of madrasas and the potential for a xenophobic tribal

rebellion in NWFP".<sup>43</sup> The anti-Ahmadi movement during Pakistan's formative years demonstrates how these currents coalesced and took the shape of sectarian violence.

## 1. The Munir Report

The present Shia-Deobandi conflict is in many ways an extension and continuation of the anti-Ahmadi agitation, launched by the *ulema* soon after Pakistan's independence. Pressuring the government to classify the Ahmadi, a relatively new, small but politically influential community, as non-Muslim, *ulema* parties in 1952 demanded but failed to achieve the removal of Pakistan's first foreign minister, Sir Zafarullah Khan, a high-ranking member.

*Ulema* of all Sunni sects as well as prominent Shia leaders joined in the anti-Ahmadi agitation, and public sentiment was incited to such a high pitch that Punjab, and especially its capital Lahore, "became the scene of a vast hunt where thousands of citizens rioted murderously ... in almost pogrom-like fashion".<sup>44</sup> As the movement spread, the military intervened in the city in 1953, the first imposition of martial law in Pakistan.

The government appointed a public judicial court of inquiry to investigate the cause of the riots, which resulted in the Munir Commission Report. Among other things, the report invited the protesting *ulema* to define who, in their opinion, could be considered a Muslim and concluded:

Keeping in view the several definitions given by the *ul[e]ma*, need we make any comment except that no two learned divines are agreed on this fundamental. If we attempt our own definition as each learned divine has done and that definition differs from that given by all others, we unanimously go out of the fold of Islam. And if we adopt the definition given by any one of the *ul[e]ma*, we remain Muslims according to the view of that *alim* but *kafirs* (apostates) according to the definition of everyone else.<sup>45</sup>

The status of Shias was also debated, since leading Deobandi *ulema* had issued similar edicts of apostasy against them. "What is happening now", said the judges, "seems almost a writing on the wall, and God help us if

<sup>40</sup> Article 2-A, Constitution of Pakistan, 1973.

<sup>41</sup> The *Khilafat* Movement was launched in India to prevent Great Britain and other European powers from dismembering the Ottoman Caliph's empire. The movement, based on Hindu-Muslim communal harmony and non-violence, lost momentum when some Islamic scholars called upon Muslims to migrate (*Hijrat*) from British-ruled India to an Islamic country. More than 18,000 Muslims from Sindh and NWFP attempted to migrate to Muslim countries such as Afghanistan.

<sup>42</sup> Waseem, op. cit., p. 23.

<sup>43</sup> Ibid.

<sup>44</sup> "Report of the Court of Inquiry into the Punjab Disturbances 1954" (Munir Commission Report), Government of Pakistan, 1954, p. 35.

<sup>45</sup> Ibid, p. 218.

we do not stop these...people from cutting each other's throat".<sup>46</sup>

But the inquiry's adverse findings did not deter the religious parties. The "movement to defend the finality of prophethood" continued to gain strength, with the mullahs raising the issue at religious gatherings, and anti-Ahmadi sentiment continued to gain popular support. Since then, Ahmadis have been considered social and religious pariahs by most Pakistani Muslims.

Following riots that began in Rabwa (also known as Chenab Nagar), the Ahmadi religious centre in Punjab, the anti-Ahmadi movement ultimately led to a constitutional amendment in 1974 that officially excluded the sect from Islam. That concession only further emboldened the *ulema*. Sustained pressure from the clergy resulted in further Ahmadi-specific laws in 1984, barring the community from using Islamic symbols and nomenclature.

The Sunni *ulema* unions that were formed to agitate against the Ahmadis were the first of their kind, as they focused on a one-point sectarian agenda. They have since played a central role in influencing the origins and directions of anti-Shia militancy. Many leading activists of the Sunni terrorist organisation, the Sipah Sahaba, began their political careers in anti-Ahmadi organisations.

## 2. Inching ahead

Pakistan's first constitution in 1956 was a partial success for the religious right since it declared the country an Islamic Republic and required the president to be a Muslim but did not define a Muslim. However, the constitution, framed by an unelected parliament, was abrogated by General Mohammad Ayub Khan, Pakistan's first military ruler, in 1958.

Confronting a restive population, the government decided to nationalise Auqaf (Islamic endowments), and establish an Auqaf Department, to undercut the power of the *pirs* and shrines. This enabled Sunni puritanical forces to make inroads into the domain of their religious competitors. It was during this period that madrasas formed unions to forward their agenda of Islamising the Pakistani state and society.

Seeking legitimacy for his rule, General Ayub Khan created his own constitution in 1962, based on a strongly centralised presidential system with few checks and balances on the executive's authority. Under direct military rule, internal factionalism, including sectarianism, inevitably grew. Despite its reformist rhetoric, the

military government also sought to co-opt the mullahs. While Ayub disallowed political freedoms, he sought the views of the religious parties on his proposed constitution and the Deobandi JUI demanded restrictions on Shia mourning processions and other rituals. The Deobandi *ulema* also sought to use the constitution to restrict Shia activities to the precincts of *Imambaras* (Shia mosques).<sup>47</sup>

Although these proposals were rejected, the Deobandi clergy had been given an opportunity to exploit religion for political ends. It was during Ayub's reign that the first anti-Shia killings took place. In June 1963, over 100 Shias were killed in Tehri village, in Khairpur district, Sindh:

To call the 1963 killings a riot is not an apt description. It was an act of mass killings. The dead bodies were thrown into a well to cover the massacre. Had it not been for timely media exposure and strong intervention from police, the event might never have come to public knowledge.<sup>48</sup>

The next time an anti-Shia attack on this scale took place was during another period of military rule, under General Zia-ul-Haq.

The military developed its first institutional links with the mullahs under Ayub's successor, President and Army Chief General Yahya Khan (1969-1972). Facing opposition from the PPP in West Pakistan and the Bengali nationalist movement in East Pakistan, the Yahya regime decided to use Islamist extremists to counter its political foes. JI vigilante groups were, for instance, given free rein to conduct a campaign of terror against the Bengalis of the East wing in the bloody civil war that eventually resulted in Pakistan's dismemberment and the formation of Bangladesh.

With the military's support, the religio-political parties also entered mainstream politics, obtaining eighteen of 300 National Assembly (lower house of parliament) seats, all in the West wing, during the 1970 elections. The Deobandi JUI obtained seven seats in NWFP and Balochistan and later formed coalition governments in the two provinces, even obtaining the NWFP's chief ministership. The Barelvi JUP won seven and the Jamaat-i-Islami four seats.

During the Bhutto era, perceiving his populist politics as a direct challenge to its power, an ambitious,

<sup>46</sup> Ibid, p. 35.

<sup>47</sup> A.S. Pirzada, *The Politics of Jamiat Ulema-e-Islam Pakistan 1971-77* (Oxford, 1996), p. 25.

<sup>48</sup> Crisis Group interview in Karachi, August 2004, with Mukhtar Hassan, a Shia activist in that city who participated in the inquiry into the killings.

interventionist military high command once again forged an alliance of convenience with the mullahs, which was ultimately used to oust the elected government in 1977.

Bhutto's attempts to appease the mullahs, his main opposition, only whetted their appetite for political power. His concessions included the constitutional amendment that officially excommunicated the Ahmadis. To reward his Shia supporters, Bhutto also accepted a longstanding Shia demand for a separate Islamic studies syllabus in schools. Yet, Bhutto's 1973 constitution made only token gestures to the religious right. Although it pledged, for instance, to Islamise all laws within ten years, its federal, parliamentary character provided far more space for democratic, secular politics. However, the Sunni mullahs came into their own under General Zia-ul-Haq.

### 3. Zia's Sunnism

*The only kind of politicians Zia liked were religious politicians as they were amenable to the military's plans and did not raise the issues of people's rights and development....Religion was used as a means of political distraction.*

Senator Sanaullah Baloch<sup>49</sup>

Over the last 25 years, the more orthodox and militant versions of Sunni Islam have grown in strength and public influence. This trend can be directly attributed to Zia's martial law (1977-1988). His Islamisation policies encouraged and promoted all types of movements but the conservative Deobandis, Ahle Hadith and the JI were the main beneficiaries.

Zia's divisive Islamisation drive was comprehensive.<sup>50</sup> It included:

- ❑ reconstitution of the Council of Islamic Ideology to include conservative Sunni *ulema*, resulting in the resignation of the Shia and Barelvi members;<sup>51</sup>
- ❑ introduction of constitutional amendments to set up a federal *Sharia* Court, whose members generally belonged to the conservative *ulema*;
- ❑ promulgation of the Hudood ordinances, legalising the *ulema's* bias against women and non-Muslims;
- ❑ systematic segregation of minorities through the Blasphemy laws;

- ❑ steps to Islamise the banking system;
- ❑ promulgation of the *Zakat* and *Ushr* (Islamic tithes) Ordinance of 1980, with 10 per cent of *zakat* funds earmarked for madrasas, the first time they received official funding;<sup>52</sup>
- ❑ reform of the public education curricula, with a greater emphasis on Islamic principles (the final madrasa degree was granted parity with a Master's degree in formal education, and gender segregation at educational institutions became a norm);
- ❑ establishment of an Islamic University and *Sharia* faculty with Saudi money;
- ❑ propagation of orthodox Islamic values in the print and broadcast media;
- ❑ obligatory prayer breaks in government offices and schools, making sectarian identification possible; and
- ❑ discriminatory rules and regulations requiring job applicants and those seeking passport and national identity cards to declare their religion.

Sectarian militancy as it is now known first appeared at educational institutions when the Islami Jamiat Talaba (IJT), JI's student wing, used violence against its opponents at campuses across Pakistan, taking control of major educational institutions and forcing secular and progressive student movements to retreat, with state support.<sup>53</sup> Though it claims to be non-sectarian, the JI's student wing was equally intolerant of the student wings of other religious parties, such as the Barelvi Anjmun-e-Talaba Islam and JUI's Jamiat-e-Talaba Islam.

Zia's promotion of Deobandi orthodoxy alienated Shias and Barelvis, while the spread of jihadi literature from Afghan training camps to Pakistani madrasas helped implant radical ideas in impressionable poverty-stricken children. Similar texts became part of the formal system of education. Islamisation of education and student politics created mass sectarian consciousness far beyond the confines of the madrasa. Since then, "instead of teaching religion, governments seek to teach 'correct' religion".<sup>54</sup>

Tensions between Barelvis and Deobandis also grew over a number of issues, including control over Sunni

<sup>49</sup> Crisis Group interview, Islamabad, September 2004.

<sup>50</sup> Hasan-Askari Rizvi, *Military, State and Society in Pakistan 1947-97* (Lahore, 2003) pp. 170-172.

<sup>51</sup> Zia's nominees included Yusuf Binori of the Binori Town madrasa in Karachi, a sectarian, jihadi stronghold.

<sup>52</sup> Faced with agitation by Shias (who differ with Sunnis over the methods of collection and distribution of Islamic taxes), Zia was forced to exempt them from compulsory deduction of *zakat*.

<sup>53</sup> Interview with Professor Khalid Masud, chairman CII, Islamabad, July 2004.

<sup>54</sup> Crisis Group interview, Islamabad.

mosques. The appointment of *khateeb*s (mosque orators, chaplains) and *imams* at the Auqaf Department mosques became a bone of contention. "There is a district *khateeb* and at least one Auqaf mosque in every town and city. The Auqaf Department under Zia preferred graduates of Wafaq al-Madaris. Hundreds of mosques that were being run by Barelvis thus fell into Deobandi hands", says Mufti Fayyaz, who runs a Tanzeem al-Madaris seminary.<sup>55</sup> Distribution of *zakat* funds was equally lopsided in favour of Deobandi and Ahle Hadith madrasas.

But when the dominant Deobandi madrasas supported the anti-military alliance, the Movement for Restoration of Democracy, in PPP's Sindh stronghold and refused to accept *zakat*, the government opted to support Barelvi madrasas in the province.<sup>56</sup>

This cynical use of Islam for political, military, and geostrategic purposes fuelled an intense sectarian competition. During the Afghan civil war, Pakistani Islamic parties, especially JI and JUI, accumulated immense financial resources, weapons and trained cadres of fighters. They also gained access to the international market and developed transnational links. Such incentives resulted in the multiplication of parties in the name of religion.

The Zia era witnessed a dramatic shift towards extremist Sunni political discourse, orthodoxy and a heightening of anti-Shia militancy, early signs of the bloody sectarian conflict to follow. According to a 1978 editorial in *Al-Haq*, a publication of madrasa Haqqaniya of Maulana Samiul Haq, the alma mater of many of Afghanistan's Taliban leaders:<sup>57</sup>

We must also remember that Shias consider it their religious duty to harm and eliminate the *Ahle-Sunnah*....the Shias have always conspired to convert Pakistan into a Shia state....They have been conspiring with our foreign enemies and with the Jews. It was through such conspiracies that the Shias masterminded the separation of East Pakistan and thus satiated their thirst for the blood of the Sunnis.<sup>58</sup>

The SSP, formed in 1985 with a one-point anti-Shia agenda, was a logical extension of the JUI's sectarian politics and also represented a state-sponsored and Saudi-backed movement against Pakistan's Iran-backed Shia minority.

#### 4. External actors and Pakistani sectarianism

The Shia-Deobandi/Ahle Hadith conflict is in some ways a proxy war between Saudi Arabia and Iran, the regional champions of their respective brands of Islam. Antipathy to Saudi-Wahhabi politics and religion is not exclusively a Shia trait. Sunni, Sufi-based constituencies and the Barelvi *ulema* also oppose the expanding Wahhabi influence in Pakistan and look for ways to contain it.

Until the 1979 Iranian revolution, Pakistani Shias were a politically moderate community, and their associations had limited aims, such as a separate Islamic textbook. Most Shias supported Bhutto's PPP in the 1970 elections. Zia's Islamisation and the Iranian revolution spurred them into political activism. Their first political party, Tehrik Nifaz-e-Fiqhe Jafaria (TNFJ), was founded in 1979. In a Sunni majority country the party's very title, the "movement for implementing the *Jafari Fiqh* (Shia jurisprudence)", reflected a revolutionary idealism. For the Zia government and its Sunni allies, this was perceived as an Iranian conspiracy to export its revolution to Pakistan.

As the only Shia Islamic state, Iran occupies a unique position in the Shia world. Many Shias look to it for a degree of political support and direction. After the Iranian revolution, the Shia centre of learning and spiritual guidance moved from Najaf in Iraq to Qom in Iran. Iran's special role in the life of Pakistani Shias can be judged also from the institution of *khums* (one-fifth income deduction). The money is collected in Pakistan by *wakils* (attorneys), on behalf of *Maraje Uzzam*, Iranian clerics who specialize in *fiqh* (jurisprudence) and whose religious edicts are binding on all Shias. The *wakils* also collect other donations from affluent Shias, transferring them to designated ayatollahs responsible for redistributing the funds to promote Shia education, ceremonies and welfare projects. The Iranian government has no direct role in managing or distributing them.<sup>59</sup>

The Iranian government does extend political support to Shia minorities in Pakistan. During the Zia period, this was inevitable given his aggressive Sunni Deobandi Islamisation policies, and alliance with the U.S. Iran and Saudi Arabia's proxy war in Pakistan was further fuelled by the U.S.-supported anti-Soviet Afghan jihad, in which Pakistan's military government was an active player. Aside from competing for control over Afghan

<sup>55</sup> Crisis Group interview in Gojra, Punjab, August 2004.

<sup>56</sup> Malik, op. cit., p. 151

<sup>57</sup> Mullah Omar was the recipient of an honorary degree from Haqqaniya madrasa.

<sup>58</sup> Quoted in Mumtaz, op. cit., p. 109, translated from Monthly *Al-Haq*, vol. 14, 3 December 1978, pp. 26-27.

<sup>59</sup> Crisis Group interview with Shaukat Hussain Jafri, a Shia preacher and graduate of *Jamia al-Muntazir*, Lahore, July 2004. See also Mariam Zahab, "The Regional Dimension of Sectarian Conflicts in Pakistan" in Jaffrelot, ed., op. cit., p. 117.



groups, Iran and Saudi Arabia supported their respective Pakistani religious allies.

It is believed that Saudi Arabia alone gave \$3.5 billion to the Pakistan military for the Afghan jihad, most of which was spent in strengthening and arming Sunni groups on either side of the Afghanistan-Pakistan border.<sup>60</sup> Madrasas mushroomed not only in the NWFP and Balochistan but also in Karachi and central Punjab. A parallel non-governmental sector of Islamic charities complemented the jihad, with the volume of direct donations from Saudi individuals and charities hard to determine. Kuwait and Libya also contributed. Iraq, under Saddam, actively sponsored anti-Iranian Pakistani madrasas and parties.

A less known aspect of Shia mobilisation in the 1980s was their proselytising activities. Shia preachers, once discreet, became overt and aggressive, increasing sectarian tensions. When Zia gave in to Shia agitation and exempted them from the *zakat* deduction, Shias were required to file sworn affidavits to affirm their faith, making the sectarian distinction formal. Proactive Shia clerics, with Iran's support, saw in the situation an opportunity to proselytise aggressively, resulting in an equally aggressive Sunni response. "If you look at where the most [Sunni] madrasas were constructed [in Balochistan], you will realise that they form a wall blocking off Iran from Pakistan", says a Baloch politician.<sup>61</sup> In the process, the Sunni clergy was given an opportunity to reach out to regions hitherto untouched by sectarian extremism.

The militant Sunni backlash, given vent through the SSP, set into motion a seemingly unending cycle of violence. In March 1987, a Saudi-backed Ahle Hadith leader, Allama Ehsan Illahi Zaheer, and four other clerics were killed in a bomb blast in Lahore. The Shias were the prime suspects. The following year, TNFJ leader Ariful Hussaini was murdered in Peshawar. When the Shia town of Gilgit in the Northern Areas was attacked that same year by a Sunni *lashkar*, the Zia government appeared complicit since the civil and military law enforcement agencies made no attempt to intervene.

Zia's death in a midair explosion in 1988 brought back civilian rule after eleven years. By that time, sectarianism had become "relevant to the military's

domestic political agenda",<sup>62</sup> and it has continued to figure prominently in its Afghan and Kashmir policy.

## 5. Sectarianism and the challenges of civilian rule

*The religious terrorists we face are fighting us on every level -- militarily, economically, psychologically, and spiritually. Their military weapons are powerful, but spiritual dread is the most dangerous weapon in their arsenal.*

Jessica Stern<sup>63</sup>

Transfer of power to civilians during the 1990s did not deprive the military of its control over foreign policy or end its interference in domestic politics. Those domestic and external policies the military pursued included promotion of both the internal and external jihads, the former inadvertently, the latter consciously. Domestically, the first PPP government, headed by Benazir Bhutto, faced an aggressive opposition alliance, the Islamic Democratic Front, "cobbled together by the ISI [Inter-Services Intelligence Directorate], which turned a blind eye to Sunni sectarian activities in Punjab, and sought to balance the PPP's Shia base with a Sunni one of its own".<sup>64</sup>

Externally, the insurgency in Jammu and Kashmir gained momentum, giving the military an opportunity to conduct a proxy war against India, a jihad that would soon have repercussions for Pakistan itself. The pioneers of the insurgency were the Hizbul Mujahideen (HM), JI's jihadi wing and the Jammu Kashmir Liberation Front (JKLF), a secular Kashmir nationalist party. With the military's patronage, Pakistani and Afghan jihadis joined them, as the military used the JI to intensify the insurgency.<sup>65</sup> Every mainstream Pakistani religio-political party and sect joined the Kashmir jihad through groups such as the Lashkar-e-Tayyaba, Harkatul Mujahideen and Jamiat al-Mujahideen.

Within Pakistan, a generation of sectarian zealots from the Zia era had come of age. Until 1990, the SSP and TNFJ were the two main protagonists. SSP founder Haq Nawaz Jhangvi's murder in February 1990 led to the creation of its twin organisation, the Lashkar-e-Jhangvi. The Sipah-e-Mohammed Pakistan, the Shia response to the SSP, emerged in the early 1990s as a surrogate of the TNFJ. Arab-influenced veterans of the Afghan jihad formed the Lashkar-e-Tayyaba (LT) in 1988 and, with

<sup>60</sup> Jessica Stern, *Terror in the Name of God: Why Religious Militants Kill* (New York, 2003), p. 117. Figures denoted in dollars (\$) in this report refer to U.S. dollars.

<sup>61</sup> V.S. Nasr, "Islam, the State, and the Rise of Sectarian Militancy in Pakistan", in Jaffrelot, ed., op. cit., p. 91.

<sup>62</sup> Ibid.

<sup>63</sup> Stern., op. cit., p. 296.

<sup>64</sup> Nasr, op. cit., p. 103.

<sup>65</sup> Devin T Hagerty, "Kashmir and the Nuclear Question", in Charles Kennedy and Rasul Bakhsh Rais, *Pakistan: 1995-96* (Lahore, 1995) pp. 174-181.

the military's patronage, launched their jihad against India, creating an entirely new movement of Ahle Hadith militancy. By 1992 the traditionally non-violent Barelvis, too, had a militant group. In Karachi, Saleem Qadri set up the Sunni Tehrik, designating the Deobandis as his main adversaries. The murders of Deobandi scholars in Karachi in the late 1990s, including Binori Town chief Yusuf Ludhianvi, are attributed to the Sunni Tehrik. The numbers of less prominent jihadi and sectarian groups now run into the hundreds.

In 1994 during Benazir Bhutto's second term, with the Pakistan military's patronage and her parliamentary ally, the JUI-F, playing a pivotal role, the Afghan Taliban were launched, resulting in major implications for sectarianism in Pakistan.

Pakistan's regional jihad, in India and Afghanistan, produced an escalation of domestic sectarian conflict. In 1997, celebrations of the 50<sup>th</sup> year of independence were accompanied by an unprecedented wave of sectarian killings. More than 100 people, mainly Shias, were killed in ten days.

Local militant movements sought to replicate the Taliban system. Emboldened by the movement's success in Afghanistan, many Tehrik-e-Taliban (the movement of the Taliban) leaders set up their own *Sharia*-based systems in Pakistan's tribal areas. One, Tehreek-e-Nifaz-e-*Shariat*-e-Mohammadi (TNSM, the movement for the enforcement of Mohammad's *Sharia*), forced the Nawaz Sharif government to enact *Sharia* laws in the Swat-Malakand area of NWFP in 1998.<sup>66</sup>

The Taliban also helped reinforce the old jihad ties between Pakistani sectarian groups and drug and smuggling cartels in Afghanistan. That mutually beneficial relationship resulted in the "Islamisation of criminal activity and criminalisation of segments of Islamism in Pakistan".<sup>67</sup> Hundreds of Pashtun and Punjabi youth entered Afghanistan and joined Taliban-operated terrorist training camps, inspired by a Sunni revolution and anti-Shia jihad. Sipah Sahaba militants took part in massacres of Shias and in battles against the Northern Alliance in Afghanistan.

Just as the military denied the Bhutto and Sharif governments control of Pakistan's Kashmir or Afghanistan policies, it also made and unmade governments, dismissing four successive elected

governments before they completed their terms of office. But each elected government had to bear the brunt of sectarian violence and the resultant insecurity and alienation it generated.

During Sharif's first term of office, for instance, sectarian violence spread from traditional arenas such as Jhang in Punjab, Parachinar in NWFP, and Gilgit in the Northern Areas to the urban heartland. The nature of attacks also changed. The initial pattern of targeting leaders, diplomats and other high-profile figures widened to include mosques, public places, graveyards and religious processions. Government functionaries, judges, police officials and professionals were killed solely on the basis of their sectarian identity.

Both the Bhutto and Sharif governments took some steps to quell sectarianism but with scant success. Given the military's backing for the regional jihad, Bhutto had little option but to withdraw her decision to audit the finances of madrasas, reform their hate-based curricula, and end their jihadi training. Sharif's attempts to curtail sectarian extremism also failed.

Although the political needs of both prime ministers resulted in some concessions to the religious right, such as Bhutto's alliance with the JUI-F and Sharif's *Sharia* bill, they at least attempted to crack down on sectarian groups. It is difficult to assess if they would have succeeded had their governments survived. Yet, even the sporadic efforts to deal with sectarian extremists, such as that by Bhutto in 1995 and Sharif in 1997 and 1998, were more thorough than Musharraf's current policies.

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<sup>66</sup> Sufi Mohammed, the TNSM leader, challenged the government's right to appoint judges to *Sharia* courts, insisting that he and his ulema were best qualified in Islamic matters.

<sup>67</sup> Nasr, op. cit., p. 96.

## V. REIGN OF TERROR

A region-by-region analysis of the shape and directions of sectarian terrorism can best demonstrate the seriousness of the current threat.

### A. PUNJAB

With 68 per cent of its population living in rural areas, Punjab is still an agrarian society.<sup>68</sup> Though weakened considerably by the Auqaf Department and puritanical Sunni movements, Sufi Islam and its Barelvi component have the largest following. Except for some rural pockets in southern Punjab and around industrial towns such as Gujranwala and Faisalabad, militant sectarianism has not taken root in the villages. But urban areas are hard hit by sectarianism and awash in jihadi movements.

Mumtaz Ahmed identifies three groups as most active in sectarian violence: the *bazaar* (market) merchants, who finance sectarian organisations; the madrasa students, who provide the manpower for these movements and parties; and the semi-educated unemployed youth in urban centres, who act as hired guns for organisations such as the Sipah Sahaba and the Sipah Muhammad.<sup>69</sup>

Religious parties lack a popular base in Punjab, where mainstream moderate parties, particularly the PML (N) and the PPP, remain the main contenders for power, or will be once again when there is an even playing field. Until then, the military-created PML (Q) will remain the dominant political force. Yet, the military's sidelining of the two most popular and moderate parties has expanded the political space for sectarian actors like the Sipah Sahaba, enhancing the potential for sectarian violence.

#### 1. Southern Punjab

Southern Punjab, particularly the belt that stretches from Jhang to Dera Ghazi Khan, has the highest rate of growth and concentration of madrasas in the province. It is also the stronghold of the Sipah Sahaba and its twin, the Lahskar-e-Jhangvi.

Jhang, a city at the cusp of southern and central Punjab, is the birthplace of organised sectarian militancy not just in Punjab but countrywide. Jhang district has a population of 3 million, a quarter of which is Shia. Half of Jhang's

urban population are migrants from East Punjab, many of whom belong to the Deobandi sect. Local Sunnis and Shias have no history of conflict. While sectarian politics in Jhang dates back to the 1960s, other than the occasional skirmish during Muharram, anti-Shia violence was unknown until Haq Nawaz Jhangvi, then vice president of the JUI, Punjab, formed the SSP in September 1985 and openly espoused sectarian militancy.

Jhangvi, who started his career in Deobandi mosques and was well known for anti-Barelvi and anti-Ahmadi campaigns, focused his attention on the Shias. SSP workers, for instance, would take over the city and set up pickets to single out and target Shias and prevent them from conducting their religious rituals. A Shia leader says, "It was [more] convenient to pose as a non-Muslim in such situations and pass by".<sup>70</sup> The two sects now live in separate parts of the city. More than 300 Shias were killed in sectarian violence between 1985 and 1989 in Jhang district before Jhangvi was murdered in January 1990.<sup>71</sup>

The Sipah Sahaba's rise (it now has a vote bank of 40,000 to 60,000 in Jhang city) reflects the district's socio-economic divisions. Bazaar merchants (including traders, shopkeepers and businessmen) support the SSP to counter the traditional political dominance of Shia and Sunni *pir* families. The SSP also receives funds from expatriates in the Middle East. "The politically weak but economically strong migrants in urban Jhang challenged, with Zia's support, the politically strong landowners of the rural areas", says Zafarullah Khan, a resident of Jhang.<sup>72</sup> Other than *bazaar* merchants and urban, educated youth, madrasas are the mainstay of the SSP's politics. Its sister organisation, Lashkar-e-Jhangvi, is also financially supported by *bazaar* merchants in southern Punjabi towns. The SSP has, however, failed to gain support among Punjab's predominantly rural population, where Sufi Islam is still supreme.

Forced by the demands of electoral politics, SSP's leader, Maulana Azam Tariq, tried to dilute its militant image. By participating in electoral politics and ostensibly distancing itself from the Lashkar-e-Jhangvi (LJ) faction formed by Riaz Basra after Jhangvi's murder, the SSP is also able to deny any hand in anti-Shia terrorism even as it pursues the same agenda. Nevertheless, it is estimated that some 5,000 to 6,000 SSP activists have undergone jihadi training.<sup>73</sup>

<sup>68</sup> The province has 56 per cent of Pakistan's population. It can be divided into three zones: the Seraiki-speaking southern belt; central Punjab including the agricultural plains, major urban centres and industrial areas; and the Potohar plateau, the main recruiting ground of the military.

<sup>69</sup> Mumtaz Ahmed, op. cit., p. 118.

<sup>70</sup> Crisis Group interview with Qamar Shah, Jhang, August 2004.

<sup>71</sup> Crisis Group interviews in Jhang District, August 2004.

<sup>72</sup> Crisis Group interview, December 2004.

<sup>73</sup> Crisis Group interview with Amir Sayal, Jhang, August 2004.

Along with its LJ offshoot, SSP is the only sectarian group that has targeted Iranian officials and interests, although other Sunni organisations also share its anti-Iranian bias. An Iranian diplomat, Sadeq Ganji, was killed in Lahore in December 1990, apparently to avenge Haq Nawaz Jhangvi's murder. Iranian diplomat Muhammad Ali Rahimi was assassinated weeks after a bomb blast at the Sessions Court in Lahore killed then SSP chief Zia-ur-Rehman Farooqi in 1997. Azam Tariq, the SSP leader assassinated in October 2003, was himself implicated in a number of murder cases.

In its prime, the SSP had a student wing, a welfare trust and a vast network of local offices. It had branches in 74 of Pakistan's 102 districts and in 225 subdivisions, with 1 million fee-paying, card-holding members.<sup>74</sup> Initially, it gained manpower from madrasas belonging to the four Deobandi unions but later established its own madrasas, mostly in Punjab and Karachi. "It can be safely said that no other religious party except the JI was as modern in its organisation, fundraising and networking as SSP. It did not rely on madrasas only but also cultivated professional communities and launched welfare projects for its workers", says Mohammed Anwar, a former activist from Jhang.<sup>75</sup>

After Azam Tariq's assassination in 2003, the SSP has fallen prey to internal divisions, mainly over money from both domestic and external sources, including supporters in Saudi Arabia attracted to its anti-Shia militancy.<sup>76</sup> These internal rifts have resulted in the emergence of a number of radical splinter groups. However, despite these and other constraints, such as the denial of sanctuaries in post-Taliban Afghanistan, the SSP has continued to expand its influence in southern Punjab, particularly where the demographics are similar to Jhang's -- a *pir* landowning class, a considerable concentration of Shias, and a prosperous East Punjabi merchant community -- such as Khanewal, Multan, Kabirwala, Shorkot, Dera Ghazi Khan and Rahimyar Khan.<sup>77</sup>

SSP reinforces and complements the Majlis-e-Tahaffuz-e-Khatme Nabuwat (Movement to Protect Finality of Prophethood), based in Chiniot, Jhang's neighbouring town. Chiniot is also close to Rabwa, the

Ahmadi religious centre and a frequent target of Sunni, particularly SSP-led, violence.

In yet another southern Punjab city, Multan, where there have been more than 50 sectarian attacks since 1991, the sectarian composition has also fuelled religious strife. Shias claim they make up 40 per cent of Multan's population.<sup>78</sup> The city is known for its shrines. Its politically powerful *pirs*, the descendants of Sufi saints, are mainly Shia but they have considerable support also among Sunnis who follow Sufi Islam.

Militancy has travelled to Multan from Jhang, a part of SSP policy to take the fight to Shia centres. "SSP would bring followers from other towns and cities to hold public meetings in Multan, especially on special Shia occasions. That's what introduced sectarian tensions in an otherwise docile and conformist Sunni population", says Abdul Aziz Khan, a lawyer.<sup>79</sup>

Deobandis have also gained ground because of their madrasas. The head offices of the Deobandi madrasa union, Wafaq al-Madaris, is in Multan. Khairul Madaris seminary, the national centre of Deobandi educational activity, openly supports SSP.<sup>80</sup>

The chief of Wafaq al-Madaris disclaims any connection with sectarian or other jihadi terrorism:

We do not as a madrasa union patronise or approve sectarian activities. Our students are not taught jihadi literature, and the accusation of training is baseless. However, if some students decide to join a group on their own or some *ulema* are active members of other organisations, our madrasas cannot be blamed.<sup>81</sup>

Yet, it is believed that the Jamiat-ul-Mujahideen Al-almi, a Deobandi jihadi organisation responsible for an unsuccessful attack on President Musharraf in 2004, was formed at this madrasa. Jaish-e-Mohammed, an offshoot of the Harkatul Mujahideen, formed in 2002, also enjoys the madrasa union's full support. And although the Jaish focuses mainly on the Kashmir jihad, it includes many Sipah Sahaba workers.<sup>82</sup>

In other areas of southern Punjab, Ahle-Hadith seminaries are thriving alongside Deobandi madrasas. "We have

<sup>74</sup> Rana, op.cit., p. 199.

<sup>75</sup> Crisis Group interview, Faisalabad, August 2004.

<sup>76</sup> Crisis Group interviews in Jhang, 2004.

<sup>77</sup> "In all these cases, local city populations felt politically powerful for the first time. The sense of political empowerment galvanised them, though they had no criminal or terrorist inclinations to begin with. SSP (also) used religion to make a political statement and to undermine parties like the PPP which have a strong Shia support", says Farhat Abbas. Crisis Group interview, Lahore, August 2004.

<sup>78</sup> Crisis Group interview with Shia leader Iqbal Mehdi, Multan, January 2005.

<sup>79</sup> Crisis Group interview, Multan, January 2005.

<sup>80</sup> Rana, op. cit., p. 526.

<sup>81</sup> Crisis Group interview with Qari Hanif Jallundri, Islamabad, October 2004.

<sup>82</sup> At Jaish's inception, SSP leader Azam Tariq announced that 10,000 of his activists would work for it.

never had a noticeable presence of [the] Ahle Hadith sect. Even now, they remain a minority in the local population but the numbers are increasing", says Reza Gardezi, a member of a prominent *pir* family.<sup>83</sup> This change can be attributed to Saudi and United Arab Emirates (UAE) sponsorship. Since the 1970s, Arab princes have hunted in the Cholistan desert, building palaces in the area and financing many development projects, such as hospitals, roads, schools and an airport. This presence has been a mixed blessing for the local population because the Arabs have also funded madrasas, introducing extremism into a hitherto tolerant Punjabi hinterland.

## 2. Central Punjab

A similar Ahle Hadith-Deobandi sectarian presence is also visible in Gujranwala and some other regions of central Punjab. In Gujranwala, where the MMA won its only National Assembly seat in the 2002 elections, its candidate Qazi Hameedullah, a Pashtun Deobandi scholar, campaigned on the basis of his relationship with Taliban leader Mullah Omar.<sup>84</sup>

In central Punjab, the Arab connection has also played a key role. The Saudi Arabian charity, the Harmain Islamic Foundation is believed to have funded Ahle Hadith madrasas.<sup>85</sup> The Arab connection also played a role in the emergence, in 1988, of Markaz Dawa wal-Irshad, the parent organisation of Lashkar-e-Tayyaba (LT, renamed Jamaat Dawa, after it was banned in 2002), best known for its jihadi activities in Kashmir.

The LT's sectarian tilt is ultra-orthodox. Some Pakistani jihadis even accuse it of undermining the Kashmir jihad by promoting sectarian divisions among the mujahideen. In fact, sectarian indoctrination is an essential part of the LT's jihad training. Trainees from LT camps disclose that they underwent courses on Salafi Islam.<sup>86</sup> The LT mainly recruits its jihadis from Gujranwala and adjoining areas. Many have had some connection with Deobandi and Ahle Hadith madrasas but were not necessarily students there. The LT has also inducted college students and graduates into its jihadi cadre.

In some central Punjab villages, the LT has considerable influence because of the Kashmir jihad. One such is Gondlanwala, now called *Pind Shaheedan* (the village of martyrs) because at least one person from every family has fought or died in the Kashmir jihad, mainly as an LT recruit.<sup>87</sup> The LT's influence can be gauged by the fact that villagers from the area have even accepted its arbitration in disputes.

Nevertheless, there are the beginnings of a backlash in central Punjab against this terrorist organisation. "There is a strong silent backlash in our communities against the LT for recruiting teenagers for training", says a local politician, who negotiated with Lashkar leaders for the recovery of his younger brother from an LT-run jihadi camp in Chilas, in the Northern Areas.<sup>88</sup> An expert adds, "Most parents are angry. They question why the jihadi leaders themselves do not go for battles and why they send their own children to universities in Pakistan and abroad and not to jihad".<sup>89</sup>

Since the 2002 ban, the LT has reduced its public visibility somewhat, mainly because the government would find it difficult to justify an open presence. Armed vigilantes of its Muridke base are no longer seen in public, and rumours of infighting are rife. It is believed that the party has succumbed to the *biradri* (kinship, caste) system in rural central Punjab.<sup>90</sup> Yet, its leaders, including Hafiz Saeed, maintain a high profile, with no constraints on their activities, addressing rallies and raising jihadi slogans.

The government's crackdown on this and other banned terrorist organisations in Punjab has been reactive at best, with the police only taking action in the wake of a major terrorist attack. When they are themselves targeted, they are understandably far more pro-active. For instance, the police cracked down on SSP activists in Gujranwala after the 2001 murder of a senior police official who was investigating the murder of an Iranian diplomat. Yet, in the absence of a more rigorous response, these organisations will continue to flourish in the Punjabi heartland.

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<sup>83</sup> Crisis Group interview, Islamabad, November 2004.

<sup>84</sup> He claims that he was Mullah Omar's teacher. In April 2005, Hameedullah was arrested for heading a mob of MMA activists who attacked the participants of a marathon race on the grounds that the participation of girls in public sports was un-Islamic. "MMA Men Disrupt Women's Marathon," *Dawn*, 4 April 2005.

<sup>85</sup> Crisis Group interviews, September 2004. The U.S. outlawed the charity in 2004.

<sup>86</sup> Crisis Group interviews in Gujranwala, September 2004.

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<sup>87</sup> Crisis Group interview with Azam Gujjar, Pind Shaheedan, Gujranwala, September 2004.

<sup>88</sup> Crisis Group interview with Nadeem Goraya, Nazim (mayor) of a union council in Gujranwala, September 2004.

<sup>89</sup> Crisis Group interview with Amir Rana, October 2004.

<sup>90</sup> The LT's leader, Hafiz Saeed, is a Gujjar and is opposed by the Jat group led by Zafar Iqbal, a co-founder of the LT, who accuses him of nepotism and corruption. Crisis Group interview, Gujranwala, September 2004.

## B. THE NORTH WEST FRONTIER PROVINCE

The NWFP is divided into settled areas, administered by the provincial government, and the Federally Administered Tribal Areas (FATA). Around 70 per cent of the population is Pashto-speaking and 18 per cent Hindko-speaking.<sup>91</sup> In the past, secular Pashtun parties such as the National Awami Party (renamed the Awami National Party, ANP) and other moderate, secular parties such as the PPP and the PML-N had a considerable political presence, counterbalancing the religious right. In the 2002 national elections, as the moderate parties were deliberately sidelined and the mullahs patronised by the state, the JUI eclipsed them, and Deobandis now run the MMA provincial government.

Unlike Punjab and Sindh, where a majority follow Sufi Islam and its Barelvi component, in the Pashtun areas most Sunnis have gravitated towards a more puritanical version of Islam. Even before the current Deobandi ascendancy, the Afghan civil war and the resultant madrasa expansion had enhanced the JUI's political clout in Pashtun-majority areas. Since the province also has major areas of Shia concentration, such as Orakzai agency, Parachinar and Hangu in Kohat district, this rise of Deobandi extremism has heightened sectarian tensions and conflict, even in such Hindko-speaking areas as Mansehra and Abbottabad.

Sectarianism in the province is unique in the sense that it can assume tribe-versus-tribe or village-versus-village dimensions. Since the province is also awash in arms, partly the legacy of the Afghan conflict and partly the state's failure to prevent proliferation, sectarian violence has often assumed the shape of prolonged conflict in which even weapons such as rockets and missiles are used.

When the MMA was formed in 2002, it was expected that sectarian animosity would diminish somewhat because the alliance contains all major Shia and Sunni politico-religious organisations. This hope was misplaced since the alliance is based at best on political expediency, with each faction hoping to reap political gains even as their religious preferences, based on exclusion, remain unchanged. The MMA's hold over the provincial government has in fact exacerbated sectarian tensions since the alliance's two larger parties, the JUI-F and the JI, have tended to ignore their smaller partners. Referring to advertisements for government jobs which explicitly encourages Wafaq students, a Barelvi leader

complains: "The (central) government recognises our (Barelvi) madrasa board but the MMA government does not follow the rules in teachers and Auqaf appointments. In interviews for jobs, the applicants are asked if they belong to Wafaq al-Madaris (the Deobandi madrasa board)".<sup>92</sup>

The JUI-F-JI's religious preferences, evident, for example, in its proposed Hasba Bill, have also alarmed the MMA's non-Deobandi partners. Insisting that its constituents expect it to make governance and society Islamic, the JUI-F dominated government intends, through this legislation, to establish a vice and virtue police, on the lines of the Taliban, to ensure that public conduct conforms to Deobandi interpretations of *Sharia* and Islam.<sup>93</sup> A *mohtasib* (inspector), an *alim* with a diploma from a recognised madrasa, would be appointed to enforce the new Islamic order and empowered to use the police.<sup>94</sup> Disregarding the *mohtasib's* summons or orders would be treated as contempt of his office and liable for punishment. The *mohtasib* might impose punishments such as fines, flogging, and imprisonment. His findings and decrees would not be subject to judicial review, and the Hasba law would, as presently envisaged, override all other laws.<sup>95</sup>

The federal government has thus far resisted the move, backed by the Council of Islamic Ideology. But if the proposed bill is enacted, it will create another parallel legal and judicial system, in addition to the three different systems that are already in force in NWFP: statute law and the courts; *Sharia* courts and benches; and customary law and the *jirga* (assembly of tribal elders).<sup>96</sup>

NWFP's secular political parties oppose the bill. "The move is political. It is not judicial reform or Islamisation. What the MMA wants is to open another avenue for

<sup>91</sup> Rahimullah Yusufzai, "NWFP Languages", *The News*, 25 November 1997.

<sup>92</sup> Crisis Group interview with Azeem Qadri, president of the Barelvi *Tanzeem Ahle Sunnah*, Peshawar, August 2004.

<sup>93</sup> Some religious scholars believe that Hasba has no religious legitimacy. Crisis Group interview with Ajmal Qadri, head of JUI (Qadri group), Rawalpindi, October 2004.

<sup>94</sup> The *mohtasib* will also enforce respect for obligatory prayers; take action against anti-*Sharia* activities like singing and dancing; stop social interaction between unrelated men and women; discipline those who disobey their parents; and force shops to close at prayer times.

<sup>95</sup> Anwar Syed, "Enforcing the *Shariat*", *Dawn*, 29 August 2004.

<sup>96</sup> The MMA has introduced two more bills, the "Prohibition of Dancing and Music Bill" and the "Prohibition of Use of Women Photographs Bill". Both offences would be categorised in the penal code as cognisable -- police can make an arrest without obtaining a warrant in advance -- and not subject to bail.

madrassa graduates and *ulema*, who represent its constituency", says an ANP leader.<sup>97</sup> Shias and Barelvis are just as strongly opposed to the JUI-F and JI agenda. "The JUI (F) and JI want to turn NWFP into a mono-sect province. Their policies are promoting sectarianism, as they discriminate even against their own alliance parties", says Barelvi leader Azeem Qadri.<sup>98</sup> If the bill is enacted, it will increase tensions not just between Sunnis and Shias but also within rival Sunni sects.

Infighting between Sunni sects has already become violent. In July 2004, for instance, after a court order had allowed the Ahle Hadith sect to construct a mosque and madrassa in Batagram, Mansehra, JUI (F) workers and leaders blocked the Karakoram Highway, set the Batagram Bridge on fire, and destroyed the mosque and madrassa as they were being built.<sup>99</sup> Ahle Hadith leaders insisted that the Batagram police, who remained bystanders, were complicit. Claiming that copies of the Quran and other religious books were destroyed in the attack, they said the local JUI member of the National Assembly had "put all Muslims to shame".<sup>100</sup>

In the remote valley of Tirah in Khyber agency, rival Sunni groups are conducting a violent sectarian war. In early 2004, there were armed clashes over differences in religious rituals between the Tanzim Amr Bilmaroof Wa Nahi Anil Munkir (organisation for the promotion of virtue and prevention of vice) and the Tanzim Ahle Sunnah wal Jamaat (organisation of followers of the way of the Prophet and his group). Amr Bilmaroof leader Haji Namdar, schooled in Saudi Arabia, is influenced by Saudi Wahhabi Islam, which is strongly opposed by the Ahle Sunnah group.<sup>101</sup> Namdar's evangelical activity through, for instance, an FM radio transmission in Bara Qambarkhel area, has fuelled sporadic armed clashes.<sup>102</sup>

In some areas of the NWFP, Sunni extremism closely resembles the Taliban model. The Tehreek-e-Nafaz-e-Shariat-e-Mohammadi, a militant pro-Taliban group, has lost considerable ground to its rival Islamist organisations as a result of the U.S.-led campaign against al Qaeda and the Taliban. Hundreds of its followers were killed or detained in Afghanistan after the fall of the Taliban. Its leaders remain behind bars in Pakistan, and its offices have been closed. But

TNSM remnants remain active. "TNSM's Taliban folly has turned people against it", says an employee of an international NGO in the area. "But many of its local leaders in villages and tribes still run Tehreek-e-Taliban [the Taliban Movement] with similar aims. It is still difficult for government and non-government development projects to operate without fear of opposition from clerics".<sup>103</sup>

The Afghan civil war also has a spill-over effect on Sunni-Sunni conflict, particularly in Kurram valley, which has witnessed sporadic violence. The Pashtun Bangash tribe, which includes both Shias and Sunnis, dominates Hangu and the entire Kurram Valley from Kohat to Parachinar. The Turi Shia clan is the dominant tribe in Parachinar, Kurram agency's headquarters and hometown of Arif Husaini, the first major Shia leader assassinated in Pakistan in 1988. Shias have always been the majority in Parachinar, but there is also a sizeable Sunni population in surrounding villages. Shias now insist that they have an 80 per cent majority; Sunnis dispute that claim, insisting that they comprise two thirds of the population. Parachinar's sectarian divide is further complicated by the influx of Afghan refugees and fighters, swelling the numbers of both Shias and Sunnis.<sup>104</sup>

Parachinar had no tradition of organised violence until Pakistan's interventionist policies in Afghanistan resulted in the influx of Afghan Islamist extremists and a flourishing trade in drugs and arms. "It [sectarian conflict] first happened in 1986 when Afghan fighters were brought into this area to attack Turi Shias because the Zia government did not want any Shia pockets on the weapon supply route from Pakistan to Afghanistan", says Shafqatullah Khan, a resident of Parachinar.<sup>105</sup> Since then, sectarian conflict has been endemic and bloody. In September 1996, for instance, an armed clash between rival sects turned into a communal war, with more than 200 dead and women and children captured as booty.

"A small skirmish becomes a tribal war and people from places like Orakzai agency join in. Outsiders like the Afghans are already leading anti-Shia Tehreek-e-Taliban. Use of heavy weaponry often reduces the paramilitary forces to spectators", says Zafar Bangash, a college teacher from Kohat. "Government schools fail to accommodate the rising number of school-age children. People have no other option but to resort to madrasas and their leaders".<sup>106</sup> And these madrasas and their

<sup>97</sup> Crisis Group interview with Haji Adeel, Awami National Party, Peshawar, August 2004.

<sup>98</sup> Crisis Group interview, Peshawar, August 2004.

<sup>99</sup> "Mosque Attacked in Mansehra", *Dawn*, 19 July 2004.

<sup>100</sup> *Ibid.*

<sup>101</sup> "Four Children Die as Religious Groups Clash", *Dawn*, 28 July 2004.

<sup>102</sup> Haji Namdar also ran a private prison in Bara Qambarkhel, where prisoners were given harsh punishments. "Tension Prevails in Bara Khel Again", *Daily Times*, 14 December 2004.

<sup>103</sup> Crisis Group interview, Islamabad, September 2004.

<sup>104</sup> Crisis Group interviews, Peshawar, August 2004.

<sup>105</sup> Crisis Group interview, Lahore, 2004.

<sup>106</sup> Crisis Group interview, Peshawar, September 2004.

leaders are fully exploiting the prevailing atmosphere of sectarian intolerance to further their political ends violently.

### C. THE NORTHERN AREAS

The Northern Areas are not constitutionally a part of Pakistan and have no representation in the national legislature. In practice, however, the Minister for Kashmir Affairs and the Northern Areas governs the region from Islamabad. The Northern Areas are divided into five districts: Gilgit, Skardu, Diamir, Ghizer and Ghanche. Although there are Shias, Ismailis and Sunnis in each district, if recognised as a province of Pakistan, the Northern Areas would become the country's only Shia-majority federal unit.<sup>107</sup>

In 1988, the last year of Zia's rule, the longstanding sectarian peace in the Northern Areas was shattered by bloody anti-Shia riots. When Shias in Gilgit celebrated Eidul Fitr, Sunnis, still fasting because their scholars had not sighted the moon, attacked them. Since the initial clashes ended with a truce between local community leaders, Shias were caught unprepared when they were attacked by a Sunni *lashkar*.

"The *lashkar* consisted of thousands of people from Mansehra, Chilas, Kohistan and other areas in NWFP. They had travelled a long distance to reach Gilgit, but the government did not stop them. No government force intervened even as killings and rapes were going on. Instead, the government put the blame on RAW (Research and Analysis Wing, India's intelligence agency), Iran and CIA", says one witness.<sup>108</sup> In the rampage that followed, more than 700 Shias were killed, scores of Shia villages were pillaged and burnt, and even livestock were slaughtered.

Local Shias hold Zia's Sunni Islamisation policies and his antipathy to the PPP, the local party of choice, responsible for sectarian conflict in the Northern Areas. "We've had minor sectarian controversies in the (Zulfikar Ali) Bhutto period but Zia exploited an event like Eid to promote his sectarian and jihadi agenda in the Northern Areas", says an observer, who also believes that Zia's anti-PPP crusade was responsible for the attack.<sup>109</sup> The failure of subsequent governments, including President Musharraf's, to act against Sunni extremists and the military's reliance on jihadis for its proxy war in Kashmir

have continued to fuel the flames of sectarian violence in the region.

It was on Musharraf's watch as Army Chief that Pakistan's Kashmir jihad policy increased the ranks of Islamic extremists in the Northern Areas. In 1999, a Northern Light Infantry (NLI) battalion seized the Kargil heights across the Line of Control in Indian-administered Kashmir. A number of young volunteers from Skardu, where the NLI is based, joined it to fight the Kashmir jihad. The Kargil conflict also resulted in the influx of other Sunni jihadi elements into the region. Extremist organisations like the SSP, Lashkar-e-Tayyaba, Jaishe Muhammed, Al-Ikhwan and Harkatul Mujahideen have since opened offices there. Places like Chilas and Gilgit have become the hub of Sunni jihadi training and anti-Shia activism. And every Sunni attack has resulted in a tit-for-tat Shia response.

On 8 January 2005, for instance, snipers killed Agha Ziauddin, leader of the Shias in the Northern Areas. Enraged Shias attacked shops and government offices and killed fifteen people. Gilgit and Skardu, the two major towns, were placed under curfew for over a month. Rumours abound that Sunni groups plan on raising another *lashkar* to avenge their losses.<sup>110</sup>

Northern Area Shias are also alienated by the state's continued sponsorship of Sunni orthodoxy. Since 2001, Shia resentment over the inclusion of Sunni religious rituals and a perceived anti-Shia bias in textbooks for public schools has resulted in school boycotts and occasional clashes and curfews.<sup>111</sup> Initial attempts to create separate textbooks and syllabi for Shia and Sunni students in districts where the communities have a clear majority have been dropped in the face of opposition by the local Sunni clergy.<sup>112</sup>

Until recently, Ismailis have largely remained outside the sectarian fray. But the Aga Khan Foundation's (AKF) activities, most recently in education, such as the creation of an Aga Khan Education Examination Board, have given Sunni Islamist parties and militants a means of provoking anti-Ismaili sentiment,<sup>113</sup> which

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<sup>107</sup> Gilgit, for instance, is 60 per cent Shia, 40 per cent Sunni; Hunza is 100 per cent Ismaili.

<sup>108</sup> Crisis Group interview with Sajjad Haider, an engineer from Hunza and an eyewitness to the 1988 attack, Islamabad, October 2004.

<sup>109</sup> Ibid.

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<sup>110</sup> Crisis Group interviews with Shia leaders, February 2005.

<sup>111</sup> Crisis Group interview with Shaukat Hussain Jafari, a Shia preacher, Lahore, August 2004.

<sup>112</sup> Crisis Group interview with education ministry official, Islamabad.

<sup>113</sup> JI leader Qazi Hussain Ahmed insists that the government has "given total authority to the Aga Khan to establish a new education system in the country... the same task was assigned to the Qadiani community but the people of Pakistan launched a movement against them and finally they failed in their plans. [The Pakistani] people would also launch a movement [against Ismailis] if they continued to impose a secular



has already resulted in attacks on AKF personnel. Two employees of the Aga Khan health service were murdered in Chitral in December 2004.

Like other sectarian minorities, those in the Northern Areas believe that political empowerment would enable them to contain Islamic extremism. Elections to even the largely ceremonial Northern Areas Legislative Council have exposed the limited support base of religious radicals. Says a lawyer in Gilgit, "JUI could not win any of the 24 seats, not even in Sunni-dominated areas".<sup>114</sup> However, the way the 2002 elections were manipulated to counter the PPP bodes ill for sectarian peace as extremists continue to thrive in the political vacuum.

Moreover, the Northern Areas remain in constitutional limbo, and the centre resists even modest demands such as a reformed court system and more powers for the elected council. Asadullah Khan, President of the Northern Areas Bar Council, insists, "Islamabad must devolve real administrative and legislative powers to the elected Northern Areas Legislative Council and settle the status of this region once and for all".<sup>115</sup> With democratic governance, the moderate parties that enjoy considerable popular support could easily check the growing power of a clergy that has stakes in sectarian strife.

#### D. BALOCHISTAN

Balochistan, which comprises 43 per cent of Pakistan's territory but only 9 per cent of its population, has been used by the military as the launching pad for its interventionist policies towards Afghanistan since the 1980s, first against the Soviets, through a network of Deobandi madrasas, and then, using the same madrasas, to back the Taliban. As a result of this state-sponsored militancy, there is now sectarian strife in a province where it was unknown.

In 1950, Balochistan had only seven madrasas, a number that increased to 1,045 by 2003.<sup>116</sup> More than half are controlled by the Deobandi JUI-F and are mostly in Pashtun majority areas of districts such as Quetta, Pishin, Qilla Abdullah, Chagai, and Loralai. Now in government, the Deobandis are pouring resources into their madrasa network to consolidate and expand their political hold over the province.

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education system in Pakistan". Javed Jabbar, "Allegations Most Unbecoming", *Dawn*, 3 June 2004.

<sup>114</sup> Crisis Group interview with Asadullah Khan, president, Gilgit Bar Council, December 2004.

<sup>115</sup> Crisis Group interview, Islamabad, September 2004.

<sup>116</sup> Directory of Deeni Madaris, Ministry of Education, (2003) op. cit., p. 478.

Sectarian violence in Balochistan is also the byproduct of proxy wars between Iran and the Arabs represented respectively by the Shia Hazara refugees settled in the provincial capital Quetta, and the Pashtun, pro-Taliban Afghan refugee population.

The influx of Afghan refugees has also upset the delicate demographic balance between the province's Baloch and Pashtun communities.<sup>117</sup> The Baloch fear that this influx and continued migration from other Pakistani provinces will reduce them to a minority in their resource-rich but sparsely populated homeland. Alienated by the military's infringement of their political rights and the centre's exploitation of their resources, the Baloch are also deeply concerned about the rise of sectarian militancy. "The tribal culture in Balochistan is not as immersed in religion as the tribes in FATA and NWFP", says Senator Sanaullah Baloch of the Balochistan National Party. Indeed, the province had not experienced Shia-Sunni or other religious conflicts before the influx of Afghan Islamic extremists and the growing Deobandi influence, both byproducts of the military's policies.<sup>118</sup>

Secular Pashtuns are equally concerned about the military's support of the Sunni religious right and the continuous expansion of JUI-F Deobandi madrasas in Pashtun majority areas. Accusing the army of rigging the 2002 polls to engineer a JUI victory, a Pashtun leader says, "Pashtuns are quintessentially and almost exclusively Muslims but the mullah has never been the voice of the Pashtun. The MMA owes its election success to the military's machinations aimed at countering the nationalists (regional forces) in Balochistan".<sup>119</sup>

There is indeed cause for concern. With the military's backing, the JUI-F has been handed the reins of power in Balochistan. In the coalition government with the pro-Musharraf Pakistan Muslim League, JUI-F Ministers are in charge of most important portfolios including irrigation and power, planning and development, food, agriculture, education, religious affairs, local bodies, communications, health, minorities' affairs, information

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<sup>117</sup> 29.6 per cent of the province's population is Pashtun and 54.7 per cent Baloch, according to the 1998 census at [http://www.statpak.gov.pk/depts/pco/statistics/other\\_tables/pop\\_by\\_mother\\_tongue.pdf](http://www.statpak.gov.pk/depts/pco/statistics/other_tables/pop_by_mother_tongue.pdf). Pashtun leaders dispute this figure and claim a 40 to 50 per cent share, whereas the Baloch allege that the Pashtun population includes Afghan refugees who have acquired fake documents or have settled in the province permanently.

<sup>118</sup> Crisis Group interview with Senator Sanaullah Baloch, Islamabad, October 2004.

<sup>119</sup> Crisis Group interview with Omar Khan, Islamabad, February 2005.

and information technology, and engineering. They also control the Balochistan Development Authority. These ministries receive the bulk of budgetary allocations, thus giving the JUI-F a disproportionate share of power in comparison to its political strength. The Deobandi party is translating that access to provincial resources, as well as international assistance disbursed by the federal government to JUI-F controlled ministries, to expand its political hold over the Pashtun belt, previously the political stronghold of secular and moderate parties such as the Pashtoonkhawa Milli Awami Party, the Awami National Party and the PPP.<sup>120</sup>

In Balochistan, as elsewhere in Pakistan, Deobandi madrasa networks are strengthening the ranks of sectarian extremists, including the SSP, with homegrown sectarian extremists finding allies among Afghan Islamic extremists, including the Taliban. Since 2002, sectarian terrorists have attacked five major Shia processions and mosques in Quetta. The deadliest attack, in which 45 Shias were killed, was on Ashura day in March 2004. The main target was the anti-Taliban Shia Hazara community.<sup>121</sup>

While the links between the JUI-F and the Taliban are more than evident, the party's attitude towards al Qaeda is more difficult to determine. Although an Egyptian al Qaeda suspect was arrested from the madrasa of a JUI-F leader, leading to an MMA protest in parliament in August 2004, the party's secretary general dismisses any involvement in terrorism even as he disclaims the existence of al Qaeda itself. "Al Qaeda is a phantom created by America. There is no al Qaeda among us in Balochistan. It has become a fashion with our ministers to make such allegations", he says.<sup>122</sup> In this particular case, the Musharraf government did not follow up on Interior Minister Faisal Saleh Hayat's claims of JUI's culpability but instead removed him from his post. Nevertheless, Pakistani law enforcement agencies have continued publicly and regularly to disclose the arrests of Chechens, Uzbeks and Arab militants from other Deobandi madrasas.

The JUI-F, however, still insists there is no connection between sectarian terrorism and the madrasa. After the 2004 Ashura massacre was attributed by law enforcement agencies to the SSP, JUI leaders emphasised that none of the terrorists in the attack had a madrasa background; they were not from Quetta; and their party and the SSP

were separate entities. Shias disagree. "The SSP could not have come into being and then survived in Balochistan without the JUI network of madrasas", says a Shia scholar. "At least in Balochistan, that distinction is a farce".<sup>123</sup>

Positing itself as the protector of the Shias and the keeper of the Shia faith, Iran has also contributed to the rising tide of sectarian sentiment. "The conflict had first appeared in the remote, impoverished areas of Mastung, Pishin and the Taftan border region as a reaction to Shia preaching activity. And [Deobandi] madrasas in this region were established not only to support the Afghan jihad but more so to check the proactive Iran-backed Shia clergy", says an analyst.<sup>124</sup>

Although sectarian terrorism has made its presence felt in Quetta, this is still a relatively new phenomenon in the province. A change in the state's policies, including an end to its patronage of the Deobandis, combined with decisive action against sectarian extremists, could contain this threat before it spreads to other areas of Balochistan.

## E. SINDH

Sectarian violence is endemic in Karachi, Sindh's capital and Pakistan's largest city, where 75 Shias and Deobandis were killed in sniper shootings and terrorist attacks on mosques in 2004. Sunni victims included high-ranking clerics of the jihadi, pro-Taliban Binori Town madrasa and prominent Sipah Sahaba leaders. It is believed that these attacks were in retaliation for the killing of Shias in Karachi and elsewhere. Strikes and more violence have followed each attack as rampaging mobs sought revenge.

The city is the hub of sectarian organisations of every hue. Sectarian extremists find ready cadres from hundreds of madrasas, Sunni and Shia, in Sindh. Karachi had only four madrasas in 1950; and 20 in 1971, of which only four were Deobandi and one Shia.<sup>125</sup> According to official estimates, there are now 979 madrasas in the city, out of 2,012 in Sindh.<sup>126</sup> Deobandis claim they have 3,000 seminaries in the province, half in Karachi. Madrasa administrators also claim there are 791 Bareilvi madrasas in Sindh (550 in Karachi and Hyderabad, Sindh's second largest city,

<sup>120</sup> Crisis Group interviews, Ziarat and Quetta, November 2004.

<sup>121</sup> There are more than 200,000 Afghan Hazaras in Quetta alone, a quarter of city's population.

<sup>122</sup> Crisis Group interview with Abdul Ghafoor Haideri, Islamabad, August 2004.

<sup>123</sup> Crisis Group interview with Shafqatullah, Lahore, August 2004.

<sup>124</sup> Crisis Group interview with Khawar Mehdi, Islamabad, October 2004.

<sup>125</sup> Hafiz Nazar Ahmed, op. cit., p. 692.

<sup>126</sup> Deeni Madaris Directory 2003, op. cit., p. 481.

which, like Karachi, is a Mohajir<sup>127</sup> stronghold); 121 Shia madrasas (36 in Karachi) and 56 Ahle Hadith madrasas (30 in Karachi).<sup>128</sup>

"Shias are a quarter of Karachi's population but there was no sectarian violence before the jihadis came home from Afghanistan and Kashmir", says Anwar Raza Abidi, a Shia student leader. Shia militancy, he insists, is a response to Sunni extremism.<sup>129</sup> But domestic factors have been as much at play.

Karachi became the hub of religious politics soon after Pakistan's inception and the influx of Mohajirs, who were represented by their politico-religious parties, including the JI and the Bareilvi JUP. The JI, with the military's support, remained the dominant political force until the mid-1980s, forcibly controlling college and university campuses through its student wing, the Islami Jamiat Talaba. In the mid-1980s, again with the military's support, a new Mohajir political force, the Mohajir Qaumi Movement (MQM, now renamed the Muttahida Quami Movement), which included many JI activists, succeeded the religious party and consolidated its hold, much like its predecessor, through violence.

Political violence was thus already a fact of Karachi life when, by the mid-1990s, Shia-Sunni violence engulfed it as the ranks of sectarian extremists grew, aided by the city's madrasa networks.<sup>130</sup> Since then, more than 500 people have been killed in sectarian attacks, with Shias bearing the brunt of the violence. Sunni extremists have systematically targeted Shia professionals, forcing thousands to migrate.

The JI District Nazim of Karachi insists, "there is no sectarianism in Karachi. It is the work of the 'agencies' (Pakistan's intelligence agencies) that had first used (MQM) terror groups to undermine the Jamaat-i-Islami. What goes on in the name of sectarianism now is also the work of the same mafias".<sup>131</sup> But Karachi's Deobandi madrasas gave birth to many of the most virulent jihadi and sectarian organisations. For example, the Jaish-e-Mohammed, a faction of the JUI-backed Harkatul Mujahideen, came into being at the Binori Town madrasa in February 2000. Much like the Lashkar-e-

Jhangvi, it draws support and even its cadre from the Sipah Sahaba.

Since 11 September 2001, Karachi has been a refuge for al Qaeda personnel on the run and has harboured that organisation's natural allies, including sectarian groups like the Jaish and the SSP. According to Taj Haider, the PPP's central information secretary and a former Senator from Karachi, "Terrorists and their mafias need the cover of sectarian, linguistic and political organisations. Terrorists of a certain organisation slide into another when their original organisation comes under pressure".<sup>132</sup> Most attacks on Western targets, including the murder of the U.S. journalist Daniel Pearl, have taken place in Karachi.

For Taj Haider, state patronage is the critical link between international jihad and domestic sectarianism. "Unfortunately, it was the ISI which promoted such extremist elements for achieving its objectives in Afghanistan and Kashmir", he says.<sup>133</sup> Indeed, jihadis, the clerical elite that thrives on sectarian politics, and arms traders who live off them have benefited from the state's external policies. But the state's domestic preferences, too, including the deliberate sidelining of the moderate political forces, have contributed to extremism.

Until the Musharraf government changes its policy preferences and takes decisive action against homegrown terrorists, Karachi will likely remain a violent city. A former police official fears more bloodshed in the coming months and years:

The fact remains that the government has not made any inroads in curbing militant extremism. Any determined government with a functioning intelligence network can penetrate these groups and stop the damage before it takes place. That requires a change in government policies and priorities, which, on the present evidence, is hard to imagine.<sup>134</sup>

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<sup>127</sup> Mohajirs are Urdu speaking refugees from India or their descendants.

<sup>128</sup> Monthly *Wafaq al-Madris*, August 2004, p. 63; Crisis Group interviews with representatives of madrasa unions.

<sup>129</sup> Crisis Group interview, Karachi, August 2004.

<sup>130</sup> More than more than 70 people were killed in 25 different incidents of terrorism in 1994 in what was the first such campaign of sectarian violence in the city.

<sup>131</sup> Crisis Group interview with Niamatullah Khan, District Nazim and former head of the JI in Karachi, August 2004.

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<sup>132</sup> Crisis Group interview, January 2005.

<sup>133</sup> Ibid.

<sup>134</sup> Crisis Group interview, Karachi, August 2004.

## VI. MUSHARRAF: RESPONDING TO SECTARIAN CHALLENGES

President Musharraf's reform agenda includes eradicating religious extremism and sectarianism. He has pledged to undo Zia-ul-Haq's legacy by transforming Pakistan into a moderate Muslim state. However, his performance in the past five years is not dissimilar to that of General Zia, who empowered the clergy to counter his secular, civilian opposition. Under Musharraf, Islamic extremists continue to thrive because of his reliance on the religious right to retain power. In Pakistan's chequered history, the mullahs have never been as powerful as now, controlling two of four provincial governments and also influencing national politics through their presence in the National Assembly.

Under Musharraf, Zia's Islamisation measures, the primary source of religious extremism and sectarian conflict, also remain virtually untouched. And much like the Zia period, madrasas are again the recipients of large public funds, albeit with a different justification. Then, a section of madrasas was rewarded for producing jihadis for Afghanistan. Now they are provided incentives, at least ostensibly, to abandon the jihad.

The international environment also resembles the Zia era, as influential governments choose to back a military regime, although the motivation differs. In the 1980s, many influential players, including the U.S., supported the military government for its role in the Afghan jihad. Now they back the Musharraf government for its role in the war against terrorism. Now as then unconditional diplomatic, military and financial support for the Pakistani military is proving counterproductive.

### A. PRACTISING MODERATION

Justifying his decision to retain the dual offices of President and Army Chief until 2007, Musharraf said, "Pakistan needs unity in order to deal with the internal sources of extremism and to remove the misperception that we are a militant, intolerant society".<sup>135</sup> His reformist rhetoric remains just that, even as the military's preferences undermine the few safeguards that exist.

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<sup>135</sup> Text of General Musharraf's speech to the nation on 31 December 2004, available at [http://www.jang.com.pk/important\\_events/speech\\_of\\_musharraf30-12-2004/index\\_urd.html](http://www.jang.com.pk/important_events/speech_of_musharraf30-12-2004/index_urd.html).

### 1. Enforcing the peace

Officials insist that most leaders of sectarian groups, banned after they were designated as terrorist organisations, have been either captured or killed and their workers are on the run.<sup>136</sup> These claims are at best partially true. The offices of banned organisations have been sealed but most have reopened or relocated. In fact, the repossession of these offices has sparked factional fighting among sectarian groups. The infrastructure of banned terrorist groups and thus their capacity to mount terrorist attacks also remains intact, as was evident in the surge in sectarian attacks during 2004.

Judges have become the target of terrorist threats and are, therefore, hesitant to hear cases involving religious militants. In anti-terrorism courts, judges presiding over cases of sectarian militancy are often forced to hold trials in jails. The police, too, have proved ineffective, and their inaction is not for lack of information. In the Punjab, for instance, the police maintain updated lists of Shia and Sunni sectarian activists, most of whom have criminal records.<sup>137</sup> Yet law enforcement agencies mainly keep watch on these terrorists, pursuing cases usually only after a high profile terrorist attack forces them to act.

This passivity can be partly attributed to fear of sectarian retaliation. Terrorists have killed many police officers investigating sectarian killings in Punjab and Karachi. In 2002 police inspector Mohammad Jamil of Jhang's elite police force was killed after arresting several LJ activists. In July 2004, a Rawalpindi police inspector was assassinated on his way to court to give evidence in the hearing on an anti-Shia sectarian attack.

The rising graph of sectarian violence is also linked to police inability to pre-empt and investigate sectarian crimes. The Sialkot suicide bombing at a Shia mosque in October 2004 illustrates the limitations. A day after the attack, officers asked mosque leaders to hire private security firms for protection. "There is not enough force to protect all potential targets", a senior official said.<sup>138</sup> It is doubtful if police security would have helped. The police guard at the mosque's gate had failed to search the Sialkot suicide bomber. Police bodyguards have failed to prevent other ambushes and attacks, and have, at times, themselves become victims of sectarian terror, as

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<sup>136</sup> "ISI Briefing: Terrorists Groups Working in Splinter Groups, Says Musharraf", *Daily Times*, 5 October 2004.

<sup>137</sup> "Punjab Becomes Den of Sectarian Activists", *The News*, 7 February 2004.

<sup>138</sup> "Government Tells Mosques and *Imambargahs* to Hire Private Security", *Daily Times*, 5 October 2004.

in the January 2005 murder of a sectarian Sunni leader, Haroon Qasmi.

Weak prosecution cases filed by the police often fail to hold in court. This inability of the police to curb sectarian terror effectively underscores the need for urgent measures to enhance the force's organisational, technical and human capacities. As a starting point, the police should be free of political interference and organised and trained along modern professional lines. An officer says, "What we need are more resources, better training and modernisation".<sup>139</sup>

The penetration of the law enforcement agencies by terrorist organisations is particularly troubling. The terrorist responsible for the attack on the Shia Hyderi Masjid in Karachi in May 2004 that killed eighteen turned out to be a police constable who was a member of the banned Sipah Sahaba. At least two policemen are said to have been among the terrorists responsible for the attack on a Shia procession in Quetta in March 2004, which killed 45. An al Qaeda suspect was detected among the bodyguards of the Punjab chief minister and removed from duty.<sup>140</sup> He, too, was a member of the Sipah Sahaba. Investigation into these cases has resulted in a verification process of low-ranking police personnel by intelligence agencies but this is as yet restricted to Punjab.<sup>141</sup>

The use by the police against high profile terrorism suspects of "encounter" killings or rival groups to eliminate suspects is also counterproductive. Decapitating an organisation does not result in its elimination. It only encourages the formation of splinter groups and promotes factional violence.

## 2. The politics of sectarianism

Religious parties frequently use their political clout and official contacts to influence the outcome of sectarian cases. "Why is it that when a high-profile arrest is made, the police spell a detailed indictment to the press but end up filing a toothless *challan* (prosecution case) in the court?" asks a news magazine after scores of arrest in terrorism cases in Karachi in 2004 produced few indictments and convictions.<sup>142</sup>

Police crackdowns on sectarian terrorists are also ineffective because often action cannot be taken against

suspects with links to the mainstream religious parties. On many occasions, law-enforcement agencies have been unable to act against MMA activists, even when terror suspects have been detained at the homes and offices of JUI and JI members.

Security agencies have raided sectarian seminaries only to have the government back down under pressure from an MMA component and protests by the religious right. In August 2004, the police raided a mosque and madrasa in Islamabad to arrest the prayer leader and his brother for their involvement in terrorist activities, including collaboration with al Qaeda.<sup>143</sup> The two brothers were not only released and charges dropped, but they also retained their government jobs, despite a long-standing history of inciting sectarianism.<sup>144</sup>

## 3. Flawed laws and legal loopholes

### *Stillborn madrasa law*

The ranks of sectarian extremists continue to expand countrywide as madrasas preach sectarian hatred. In sheer numbers alone, these unregulated seminaries are booming. The total of madrasa students is also likely to grow even further as the government pours money into the sector, hoping to cajole the religious right to abandon the jihad and accept internal reform voluntarily.<sup>145</sup>

Instead of enforcing the proposed madrasa registration and regulation ordinance of 2001, the government has withdrawn the ban on madrasa registration imposed by the PPP government in 1996. Madrasas can now register under the Societies' Registration Act of 1860 or other existing law.<sup>146</sup> Madrasa administrators say this constitutes a retreat by the government "under pressure by the clergy", and thus "a conspiracy to undermine Islamic education through curbs on new madrasas has failed".<sup>147</sup> Emboldened by government inaction, the mullahs are

<sup>139</sup> Crisis Group interview, Islamabad, January 2005.

<sup>140</sup> Zahid Hussain, "Al Qaeda's New Face", *Newsline*, August 2004.

<sup>141</sup> "Process to Purge Police of Extremist Elements Begins", *Dawn*, 11 August 2004.

<sup>142</sup> "By Way of Deception", *Herald*, August 2004, p. 70.

<sup>143</sup> "Seminary, Mosque Raided in Islamabad", *Dawn*, 18 August 2004.

<sup>144</sup> The mosque run by the Ghazi brothers belongs to the Auqaf Department of the Ministry of Religious Affairs, which appoints its prayer leaders and administrators as government officials. The Ghazi brothers also have close ties to the JUI.

<sup>145</sup> By the end of 2004, the federal Ministry of Education had released Rs. 495 million (\$8.37 million) to the provincial education departments for this purpose. The aid is part of a total package of approximately Rs.5759.395 million (approximately \$100 million). Notification no.4/30/94-1(2), Government of Pakistan, 1 June 2004, Ministry of Interior, Islamabad. This does not include *zakat* funds provided to the madrasa sector.

<sup>146</sup> Notification No D479/2004-IE-II, Ministry of Education, Government of Pakistan, 14 June 2004.

<sup>147</sup> Crisis Group interview, Islamabad, October 2004.

challenging the basic premise of the ban's removal, which is to "integrate religious education with formal education".<sup>148</sup> They insist they will use only their own versions of English, mathematics and other textbooks.

As money pours into the madrasa sector, it will encourage proliferation. The lifting of the ban on the plea of facilitating the "mainstreaming of madrasas" has also given the government the opportunity to finance its chosen madrasas. This process of co-option will intensify the competition for resources among the clergy of the five sects.

The lack of meaningful madrasa reform is matched by an equally inadequate effort to improve the deteriorating education system, which has radicalised many young people while failing to equip them with the skills necessary for a modern economy.<sup>149</sup> Until adequate resources are provided and the public education sector is reformed, the madrasas will continue to flourish.

#### *Discriminatory legislation and religious bias*

Religious bias is built into official procedures. Employment rules and regulations of government departments require affidavits of religious correctness. A national identity card cannot be obtained without a sworn statement of Islamic credentials and denial of heretic beliefs. Having initially deleted the religious column from the new machine-readable Pakistan passport, the government, giving in to MMA pressure, reinstated it. The Pakistani state will therefore continue to identify its citizens by their faith.<sup>150</sup>

Religious discrimination is so deeply embedded that when the public sector Sui Southern Gas Company offered stock shares for sale in February 2004, the application forms asked prospective buyers to declare whether or not they were Muslims, an attempt to identify potential Ahmadi buyers.<sup>151</sup>

Minorities and women are the main victims of discriminatory legislation. Giving in to MMA pressure, the Musharraf government has yet to repeal such laws despite repeated pledges.<sup>152</sup> On the contrary, Minister for

Religious Affairs Ijazul Haq categorically denies that the government has any such intention.<sup>153</sup> Where amendments have been made, they have done more harm than good.

In October 2004, for instance, the government amended the procedure for registering blasphemy cases. Investigations of blasphemy are now supposed to be carried out by a senior police officer before a charge is brought. But two adult Muslim witnesses can press charges, and hence easily counter the condition that a blasphemy case can be registered only in the presence of a high-ranking officer. Human rights organisations and legal experts have criticised both the manner in which the amendment was pushed through and its contents.

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made through "words, spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly" against the Holy Prophet, his family or Caliphs or Companions, shall be punishable with three years imprisonment, or a fine, or both. In 1982, section 295-B was added. Life imprisonment was prescribed for anyone who "wilfully defiles, damages, or desecrates a copy of the Holy Quran or of any extract therefrom or uses it in any derogatory manner or for any unlawful purpose." Two years later, section 298-B and C were added to the Penal Code, and Ahmadis were prohibited from calling their places of worship "mosques" and from performing any act which outraged the feelings of Muslims. In 1986, another law was introduced providing death or life imprisonment for defiling the name of the Holy Prophet. In 1979, Zia promulgated the Hudood Ordinances, his first Islamic legislative measures, a compilation of five separate laws: offences of theft and armed robbery; *Zina* (adultery) and rape; *Qazf* (accusation of adultery); use and sale of alcohol; and, lastly, the procedure for whipping. Two sets of punishments were prescribed, *Hadd* and *Tazir*. The *Hadd* punishment requires very specific evidence based either on the confession of the accused or the testimony of a specified number of eyewitnesses. All witnesses for the *Hadd* sentence must be adult male Muslims who are "truthful persons and abstain from major sins". In the case of *Zina*, the number of eyewitnesses must be at least four. If the accused is a non-Muslim, the witnesses may also be non-Muslim since lawmakers wanted to ensure that non-Muslims would also be liable to *Hadd* punishments, which are severe: stoning to death in the case of rape and *Zina* or amputation of hands for theft of a particular type. The bias of these ordinances against women and non-Muslims was compounded by the subsequent enforcement of the Islamic law of evidence in 1984, which excluded women's testimony altogether in cases of *hadd* (maximum) punishments and halved the value of their evidence in lesser punishments and in civil matters. Non-Muslims were not allowed to give evidence. Human rights lawyers observe that these ordinances were promulgated by the military authorities to achieve a "twin purpose -- cowing down the progressive Muslims and persecuting religious minorities". *From Protection to Exploitation* (The Laws against Blasphemy in Pakistan), AGHS Legal Aid Cell (Lahore, 2002).

<sup>153</sup> For example, *Dawn*, 14 October 2004.

<sup>148</sup> Ministry of Education, June 2004 notification, op. cit.

<sup>149</sup> See Crisis Group Asia Report N°84, *Pakistan: Reforming the Education Sector*, 7 October 2004.

<sup>150</sup> Commenting on the government's decision, a newsmagazine said, "Once again the mullah has had the last word...General Musharraf's passionate sermons on 'enlightened moderation' are beginning to sound more and more like empty slogans", *Newsline*, April 2005, p.13.

<sup>151</sup> "State of Human Rights in 2004", op. cit., p. 115.

<sup>152</sup> In 1980, the Zia government inserted section 298-A into the Pakistan Penal Code, which specified that derogatory remarks

The bill was passed immediately after it was tabled, without debate. "The basic flaws in the law have not been resolved...Capitulating to pressure from those threatening violence and failing to make essential changes in the law can only encourage the forces of obscurantism", the Human Rights Commission of Pakistan (HRCP) notes.<sup>154</sup>

Most blasphemy cases are motivated by personal grudges and business or professional rivalries. Disputes over the possession of mosque and graveyard lands, family feuds and commercial interests often result in the filing of blasphemy charges. Religious extremists use the cases to target minorities, settle personal vendettas, and spread religious hatred. From 1987 until December 2004, 4,000 people were accused and 560 formally charged, mostly Ahmadis and Christians.<sup>155</sup> More than 100 persons were detained for blasphemy offences in 2004 alone; half were prosecuted from January to October 2004; all were convicted by subordinate courts but later acquitted by higher courts.<sup>156</sup>

The ordeal of the accused does not begin or end with court trials. Religious extremists threaten them, and some have even been killed after they were acquitted.<sup>157</sup> Many, including judges hearing such cases, have been forced to leave the country. "The long delay in blasphemy trials", the HRCP notes, is "largely due to the reluctance of judges to issue decisions in such cases or even take them up for hearing given risk to their own security". It recommends that instead of changing procedures, all laws that provide legal sanction for such discrimination against minorities be repealed.<sup>158</sup>

Three official review commissions, one each under the Zia, Benazir Bhutto and Musharraf governments, found the 1979 Hudood laws repugnant to Islamic injunctions and basic human rights and urged their repeal. The 1997 Report of the Commission of Inquiry for Women observed, "The relevant test [of a law] is not whether it can ever be misused but whether it is worth enacting at all given the potential for its abuse and the results its enforcement would produce".<sup>159</sup> Justice Majida Rizvi, Chairperson of the National Commission on the Status of Women, appointed by Musharraf himself, believes that the law

has "so many defects that it will have to be repealed if the government is really serious".<sup>160</sup> The Musharraf government has ignored these recommendations.

Where the government has amended Islamic laws, such as those relating to murder in the name of honour (honour killings), its amendments are superficial. It has rejected proposals, such as by the PPP, to rectify the most glaring flaws. Honour killings have become rampant since the promulgation of the *Qisas* and *Diyat* Ordinance of 1990 that allows a victim's heir (*vali*) to pardon a killer in return for compensation, thus in effect encouraging and legitimising murder in the name of honour. Motivations behind such murders can range from fiscal, i.e. retention of family property, through tribal disputes, to preventing a woman from exercising her free choice in marriage.

According to official figures, 2,774 women and 1,327 men have been victims of honour killings since 2000. In 2003, 1,261 women were killed, and more than 500 such cases were documented from January to October 2004.<sup>161</sup> According to a PPP member of the National Assembly, Sherry Rehman, the law, as presently amended by the ruling party, still "allows the murderers to continue to be forgiven by the heirs of the victim, who are usually in collusion with the murderers". Her party's bill, she says, had asked that the state act as the murdered woman's heir:

The *vali* [heir] of the murdered woman should be the state. As long as heirs and *valis* like sons, husbands, brothers, uncles and grandfathers are allowed to "forgive" the murderer, the crime will continue to be perpetrated with impunity. In its effort to please international donors, the government has thrown words like blasphemy, *Zina* offences and "honour" killings into the bill, whereas it deals with none of the above.<sup>162</sup>

#### *Anti-terrorism laws*

In 2004, the government twice amended the Anti-Terrorism Act of 1997: in January to bring terrorist financing within its purview as well as the "supporting structures" of the banned groups; and in October, to enhance punishments for certain crimes and include certain specific actions in the definition (such as using explosions to kill people in mosques).

In the absence of political will, this amended law will have little impact. "No country in the world has been

<sup>154</sup> "State of Human Rights in 2004", op. cit., p. 122

<sup>155</sup> Data provided by the National Commission of Justice and Peace, Lahore.

<sup>156</sup> "Problems Faced by Minorities Highlighted", *Dawn*, 6 December 2004.

<sup>157</sup> AGHS report, op. cit.

<sup>158</sup> "State of Human Rights in 2004", op. cit., p. 121.

<sup>159</sup> "Report of the Commission of Inquiry for Women", Government of Pakistan, August 1997, p. 70.

<sup>160</sup> *Newsline*, October 2003.

<sup>161</sup> "State of Human Rights in 2004", op. cit., p. 177.

<sup>162</sup> Crisis Group interview with Sherry Rehman, Islamabad, January 2005.

able to fight terrorism with legal instruments. Laws are not a substitute for political will and effective administrative action. In any case, it is not because of any inadequacies in the existing laws that sectarian violence continues to escalate", says a former president of the Pakistan Bar Council.<sup>163</sup>

But while it is essential to enforce existing legislation such as the laws against incitement of violence and incitement of sectarian hatred,<sup>164</sup> the Anti-Terrorism legislation defines terrorism too sweepingly, covering even political strikes. It is, therefore, open to abuse and has been used to target political dissidents and even religious minorities such as the Ahmadis.<sup>165</sup>

#### *Militarising civil society*

As mentioned earlier, the state's capacity to prevent and resolve sectarian conflict in the Northern Areas is hampered by the absence of constitutional status for that territory. In Federally Administered Tribal Areas (FATA), which are run by a federally appointed political agent rather than an elected government, the writ of courts and normal Pakistani laws do not apply. However, customary tribal law is applied through the *jirga* system (tribal courts), allowing the government to justify rival tribal groups settling their sectarian and political differences through arms.

Article 256 of the constitution states that "No private organisation capable of functioning as a military organisation shall be formed, and any such organisation shall be illegal".<sup>166</sup> But the government has accepted and even encouraged tribal *lashkars*, many run by religious militant groups. This is more than evident in South Waziristan where the military has used tribal *lashkars* in its operations against al Qaeda and other foreign terrorists.

In its dealings with local pro-Taliban militants, the government has offered substantial financial rewards for good behaviour, which is only likely to encourage other militants. Through JUI mediation, a peace was brokered in February 2005 with militants from the Mehsud tribe, who were given large sums of money to end their support for foreign militants and to accept the government's authority. The justification given was that the militants needed the money to pay off al Qaeda

debts.<sup>167</sup> The government is also planning to "buy back" heavy arms from the militants.

Sub-state actors are heavily armed in Pakistan's most conflict-prone regions and urban centres, including Balochistan, NWFP and Sindh's provincial capital, Karachi. This easy access to sophisticated weapons has contributed to the militarisation of the religious sector and is directly linked to an escalation in sectarian violence. In 2001, the Musharraf government started a drive that recovered some 210,000 illegal arms over the next two years but this was only a fraction of the estimated number of such weapons in the country. According to the Interior Ministry, there are approximately 18 million illegal weapons, in addition to some two million legally acquired.<sup>168</sup> Clearly, the government's drive and the official ban on the sale and purchase of non-licensed weapons have failed to prevent the free flow of unauthorised arms and ammunition. The illegal arms trade continues to flourish in places such as Dera Adam Khel in FATA.

#### *Preaching jihad*

Although President Musharraf speaks often of "enlightened moderation", his government has yet to invoke existing laws banning hate speech. On the contrary, the jihadi media operates with impunity. Hate-inciting audio, videotapes, books and pamphlets are freely available, with banned terrorist groups propagating their views through any number of publications.

The lawyer Syed Abrar Haider points out:

Legal and administrative action can be launched against them as laws against hate-speech and incitement of violence already exist. Besides, it is a violation of constitutional provisions of public policy which make it a crime to persecute or harass any individual or community on the basis of religion, sect, gender or race.

Such statements are also subject to relevant provisions of the Pakistan Penal Code, such as Sections 295-A and 298-A, that prescribe punitive action against the use of

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<sup>163</sup> Crisis Group interview with Akram Sheikh, Islamabad, January 2005.

<sup>164</sup> Section 153-A of Pakistan's Penal Code, for example, sanctions hate speech and propagation of communal/sectarian ideas as crimes against the public.

<sup>165</sup> Crisis Group Asia Report N°86, *Building Judicial Independence in Pakistan*, 10 November 2004, pp. 26-27.

<sup>166</sup> Article 256, Constitution of Pakistan (1973).

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<sup>167</sup> According to Corps Commander, Peshawar Corps, Lt. General Safdar Hussain, Rs.32 million (\$540,000) was paid to help four tribal militants in South Waziristan "to settle debts with al Qaeda". The military commander also acknowledged having offered Rs.20 million to another militant, Baitullah Mehsud, *Dawn*, 9 February 2005; *The News*, 3 February 2005.

<sup>168</sup> Crisis Group interview with Interior Ministry officials, Islamabad, October 2004. The figure of 2 million legally authorised weapons in Pakistan is given in the "Small Arms Survey", available at [www.smallarmssurvey.org/publications/yb\\_2004\\_press.htm](http://www.smallarmssurvey.org/publications/yb_2004_press.htm).



derogatory words about someone's religious beliefs and speech that offends anyone's religious sensibilities.<sup>169</sup>

While these sections of the law should be used to prosecute those who issue statements and decrees of apostasy against perceived religious foes, the government is more concerned about speech that offends the armed forces. A leading opposition politician and parliamentarian, Javed Hashmi, remains imprisoned for criticising the armed forces, while the head of the banned Lashkar-e-Tayyaba, Hafiz Saeed, continues to preach jihad at public rallies. At one of his regular Friday sermons at Qadisia Mosque in Lahore, he defiantly said, "We are not afraid of crackdown. No one can check the spread of jihad all over the world".<sup>170</sup>

## B. FOREIGN HANDS AND "AGENCIES"

Dismissing the role of madrasas in promoting sectarian strife, the religious right would rather pin responsibility on domestic and external conspiracies hatched to undermine Pakistani Muslims. A researcher at the Jamaat-i-Islami's think tank insists, for instance, that sectarian extremism is externally driven:

At the operational level, terrorists do come from sectarian and jihadi groups. Police arrests show that. But their masterminds are somewhere else. The pattern of events suggests that sectarianism is masterminded by internal and external forces that use the indoctrinated youth to further their own interests.<sup>171</sup>

Whether the victims are Shias or Sunnis, the aggrieved parties invariably accuse the U.S. of aiding the perpetrators to advance what they regard as their agenda of global domination.

Conspiracy theories abound in Pakistan. Following Mufti Jameel Khan's murder in Karachi in October 2004, leaders of the Aalmi Majlis Tahaffuz Khatm-i-Nabuwwat (World Council to Protect the Finality of Prophethood) refused to lodge a formal murder case but asked the government to focus its investigations on the Ahmadis and other anti-Islam forces. Another Lahore-based group, the Islamic Defence Council, accused Pakistan's "secret agencies" of plotting the murder to

divert attention from opposition to General Musharraf.<sup>172</sup> Yet others saw the murder as a Shia backlash for the attack on a Shia mosque in Sialkot a week earlier.

Ajmal Qadri of JUI (Q) is certain that the Research and Analysis Wing (RAW), India's intelligence agency, is responsible for the spate of sectarian attacks in Pakistan. "No Pakistani agency can be involved in terrorism. I am certain of that. It is RAW", he said.<sup>173</sup> Pakistani authorities, too, are prone to shift the blame to the "foreign hand", a euphemism for India, after every sectarian terrorist attack. This might be the easy way out but it would serve the state far better if its law-enforcement and intelligence agencies concentrated on apprehending the perpetrators.

The increase in anti-Shia violence in Pakistan could conceivably drive Tehran to intervene again, as in the past, to protect its religious compatriots. Pakistan's relations with Iran have improved, relative to a troubled past. "Tensions have gradually de-escalated since the late 1990s. Though Tehran remains worried about the state of the Shias, it has scaled down its direct involvement, and an atmosphere of trust is building up", a senior official claims.<sup>174</sup> Yet, Iran's response is still likely to be shaped by the manner in which Pakistani authorities respond to Sunni sectarian terrorism. And that response has been far from effective.

If there is a serious "foreign" connection, it might be traced to Pakistan's foreign and security policies, including interventionist policies in Afghanistan and support for the Kashmir jihad. Most Pakistani sectarian militants are the by-products of these conflicts. Many Pakistani jihadis received their military training and political education at dozens of jihadi camps inside Pakistan and across the border in Afghanistan. While the fall of the Taliban has deprived them of their Afghan bases, they are still armed, trained and indoctrinated by their parent bodies not just for the Kashmir jihad but also for an internal jihad against their sectarian rivals.

## C. ENGAGING THE CLERGY

Every now and again, especially when sectarian terrorists strike, the government gathers a group of *ulema* and asks them to promote harmony among their followers. Provincial Ittehad Bainul Muslemeen (Unity among Muslims) committees and *ulema* boards under the Auqaf Department are activated during crises. Religious leaders,

<sup>169</sup> Crisis Group interviews with High Court lawyers, Lahore, October 2004.

<sup>170</sup> "Divided Kashmir Not Acceptable", *The Nation*, 6 November 2004.

<sup>171</sup> Crisis Group interview with Dr. Khalid Rehman, Institute of Policy Studies, Islamabad, October 2004.

<sup>172</sup> *Dawn*, 12 October 2004. The statements appeared on the same page.

<sup>173</sup> Crisis Group interview, Rawalpindi, 8 October 2004.

<sup>174</sup> Crisis Group interview, Islamabad, November 2004.

acting on their own initiative, have also set up solidarity committees and councils in the aftermath of sectarian attacks. But, like the government-sponsored interfaith bodies, the results of these initiatives, if any, have been modest.

On 15 October 2004, in the wake of a spree of sectarian attacks, including suicide bombings in Sialkot and Lahore, President Musharraf and Prime Minister Shaukat Aziz met a delegation of *ulema* of major sects. The president asked the religious scholars to issue a *fatwa* (religious edict) declaring that such suicide attacks were not an Islamic means of waging jihad. Though an aide to the president announced that the *ulema* had agreed to issue such a *fatwa*,<sup>175</sup> the mullahs refused to oblige.

"A *fatwa* against suicide bombings will have implications beyond Pakistan", said Hanif Jallundri, chief of Pakistan's largest madrasa union, mentioning Palestine, Iraq, Kashmir and Afghanistan. The *ulema*, he said, would consult senior scholars before committing themselves to issuing a binding edict on the matter.<sup>176</sup> Only the Bareilvi member of the delegation, Muneebur Rehman, is reported to have given his assent, and even that was conditional. The *fatwa* would be "operative only in Pakistan and not in other countries", he said, implying that suicide bombings other than in Pakistan were within the bounds of Islam.<sup>177</sup> Though such a *fatwa* would have little legal or political value, the *ulema* were unwilling to make even a symbolic commitment to religious moderation.

## VII. CONCLUSION

Sectarian terrorists in Pakistan are thriving in an atmosphere of religious intolerance for which its military government is largely to blame. General Musharraf has repeatedly pledged that he would eradicate religious extremism and sectarianism and transform Pakistan into a moderate Muslim state. In the interests of retaining power, he has done the opposite.

Instead of empowering liberal, democratic voices, the government has co-opted the religious right and continues to rely on it to counter civilian opposition. By depriving democratic forces of an even playing field and continuing to ignore the need for state policies that would encourage and indeed reflect the country's religious diversity, the government has allowed religious extremist organisations and jihadi groups, and the madrasas that provide them an endless stream of recruits, to flourish. It has failed to protect a vulnerable judiciary and equip its law-enforcing agencies with the tools they need to eliminate sectarian terrorism.

The government's co-option of segments of the religious right has also intensified sectarian competition for state patronage, while the pronounced pro-Deobandi bias in state policies continues to fuel conflict between disparate religious movements, each of which claims to be the bearer of true Islam. Constitutional preference for Muslim citizens feeds controversies over the definition of who qualifies. Indeed, it is now difficult to draw clear lines in a theological debate in which, in a given context, each sect or sub-sect can be the other's nemesis.

Because the Musharraf government's principal civilian allies are also organised along sectarian lines -- their politics based on the principle of exclusion -- sectarianism has crept into the national mainstream. This is most notable through the MMA's presence in the National Assembly and its control or dominance of two provinces bordering on Afghanistan. The expansion of Deobandi madrasa networks have also spread sectarian extremism in regions such as Balochistan that were, until now, relatively immune to such violence.

Regulating madrasas, reforming the public education sector, invoking constitutional restrictions against private armies and hate speech, and removing all laws and state policies of religious discrimination are essential and overdue first steps to stem this tide of religious extremism. They have not been taken because the military has prioritised alliances of convenience with the religious right. Private *lashkars* continue to settle sectarian scores, the leaders of banned organisations openly preach their sectarian jihad, and discriminatory laws still threaten the most vulnerable segments of

<sup>175</sup> "Ulema Urged to Help Government Promote Religious Harmony", *The News*, 16 October 2004.

<sup>176</sup> Crisis Group interview with Qari Hanif Jallundri, chief of the Deobandi madrasa board and a member of the *ulema* delegation, Islamabad, 15 October 2004.

<sup>177</sup> "Mufti Muneeb Stamps Suicide Attacks Un-Islamic", *Daily Times*, 8 November 2004.

Pakistani society -- women and religious minorities -- even as they provide extremist elements yet another means of targeting perceived foes.

While the tentacles of sectarianism in Pakistan are spread far and wide, terrorism is its most pernicious expression. Militarisation of religious questions is a further consequence of a strategy that weds religious symbols and ideology with foreign and defence policy, using rightwing religious parties for geo-strategic goals in Kashmir and Afghanistan. Because the Musharraf government has failed to curb, much less eliminate, the products of the military's jihad enterprise, numerous sectarian and jihadi organisations continue to employ their skills and weapons against their perceived enemies within Islam, as well as against the external enemy.

Given the intrinsic links between Pakistan-based homegrown and transnational terrorists, the one cannot be effectively contained and ultimately eliminated without acting against the other. The government's unwillingness to demonstrate political will to deal with the internal jihad could cost it international support, much of which is contingent upon Pakistan's performance in the war against terrorism. The U.S. and other influential actors have realised with regard to their own societies that terrorism can only be eliminated through pluralistic democratic structures. Pakistan should not be treated as an exception.

**Islamabad/Brussels, 18 April 2005**

## APPENDIX A

### MAP OF PAKISTAN



## APPENDIX B

### GLOSSARY

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ANP	Awami National Party, the main secular Pashtun nationalist party in the NWFP.
Auqaf	Plural of Waqf, religious endowment, usually arable land, buildings, shops belonging to mosques, shrines, madrasas or other religious institutions. These assets are non-transferable and have legal protection. The government partially nationalised this sector in 1960, but auqaf income can only be spent on mosques and the religious institution they belong to. The Auqaf Department does not cover all madrasas, mosques or shrines.
CII	Council of Islamic Ideology, an advisory body under the Ministry of Religious Affairs.
HM	Hizbul Mujahideen, one of the first Kashmiri jihadi groups, affiliated with the Jamaat-e-Islami.
IJT	Islami Jamiat-e-Talaba, the Jamaat-e-Islami's student wing.
JAH	Jamiat Ahle Hadith, the Ahle Hadith component of the MMA.
JI	Jamaat-i-Islami, the vanguard of modernist political Islam and the most organised and politically active religious party.
JM	Jaishe Mohammed, a Deobandi jihadi group operating in Kashmir, an offshoot of Harkatul Mujahideen (HUM) and Harkatul Ansar, whose manpower comes from Sipah Sahaba cadres and JUI madrasas.
JUI	Jamiatul Ulema-e-Islam. JUI is the main Sunni-Deobandi political party and successor in Pakistan to the Jamiatul Ulema-e-Hind in pre-partition India. The party is divided into three factions, denoted by the initials of their leaders: JUI-Samiul Haq (JUI-S), JUI-Fazlur Rahman (F), and JUI-Ajmal Qadri (Q). The three factions control most Pakistani madrasas. The JUI madrasas were also the main supply line of Afghan jihadis in the 1980s.
JUP	Jamiat Ulema-e-Pakistan, the Barelvi component of the MMA and rivals of the Deobandi Sunni school.
LJ	Lashkar-e-Jhangvi, an offshoot of the Sipah Sahaba Pakistan and more militant in its actions against the Shias, LJ has had strong contacts with the Taliban and training camps inside Afghanistan. LJ has been banned, and its leader, Riaz Basra, was killed in a staged "encounter" in May 2002. Since then, LJ has itself bred many smaller terrorist factions.
LT	Lashkar-e-Tayyaba, an avowedly militant Ahle Hadith group, is the armed faction of the Markaz al-Dawa al-Irshad based in Murdike, Punjab. Its major offices have now shifted to Lahore as it faces internal factionalism. The LT runs training camps in Punjab and Pakistani Kashmir, mainly in areas along the Line of Control.
Khums	Shia tribute to high-ranking ayatollahs in Iran; one-fifth of a Shia's income.
MMA	Muttahida Majlis-e-Amal, an alliance of six major religio-political parties dominated by the JUI-F and JI that runs the NWFP provincial government and is the major partner in the pro-Musharraf ruling coalition in Balochistan.
PML	Pakistan Muslim League. The founder party of Pakistan, originally called the All India Muslim League. Many politicians claim to be leaders of the "real" Muslim League in Pakistan and have their own factions. Former Prime Minister Nawaz Sharif, now in exile, heads the Muslim League's largest grouping, known as PML(N). PML (Quaid-i-Azam group) is the pro-Musharraf ruling party.

PPP	The Pakistan People's Party. Founded by Zulfikar Ali Bhutto in 1967 with a socialist, egalitarian agenda and now headed by his daughter, Benazir Bhutto, twice prime minister, currently in exile.
SMP	Sipahe Mohammed Pakistan, the Shia militant organisation that has been engaged in tit-for-tat attacks on Sunni targets. The Mukhtar Force and Sipah Abbas are two variants of SMP.
SSP	Sipahe Sahaba Pakistan, the Deobandi militant organisation, which pioneered organised sectarian militancy in the country.
Tehrik-e-Taliban	Local movements inspired by the Taliban and crusading for the implementation of <i>Sharia</i> law mainly in the tribal areas of NWFP, setting up private courts and prisons in areas under their influence.
TIP	Tehrik-e-Islami Pakistan, the Shia component of the MMA, earlier known as Tehrik-e-Jafaria Pakistan.
TNSM	Tehrik Nifaz-e- <i>Shariat</i> Mohammadi, a Swat-based <i>Sharia</i> movement, responsible for sending thousands of fighters to help the Taliban after U.S.- attacks on Afghanistan in October 2001.
USAID	United States Agency for International Development.
Wafaq:	Arabic for federation or union. These are loose umbrella organisations of madrasas of which there are five in Pakistan: Wafaq al-Madaris al-Arabiya (Sunni-Deobandi madrasas); Tanzim al-Madaris al-Arabiya (Sunni Bareilvi); Wafaq al-Madaris al-Shia (Shia); Wafaq al-Madaris Al-Salafiya (Ahle Hadith (Salafi)); and Rabita al-Madaris al-Arabiya of the Jammah-e-Islami.
Zakat	The Islamic tithe, deducted from bank deposits on the first day of Ramadhan, the month of fasting, at the rate of 2.5 per cent. 10 per cent of zakat collected by the government is earmarked for madrasas. The minimum amount liable to zakat varies according to the price of gold.

## APPENDIX C

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (Crisis Group) is an independent, non-profit, multinational organisation, with over 100 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board -- which includes prominent figures from the fields of politics, diplomacy, business and the media -- is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by Lord Patten of Barnes, former European Commissioner for External Relations. President and Chief Executive since January 2000 is former Australian Foreign Minister Gareth Evans.

Crisis Group's international headquarters are in Brussels, with advocacy offices in Washington DC (where it is based as a legal entity), New York, London and Moscow. The organisation currently operates nineteen field offices (in Amman, Belgrade, Cairo, Dakar, Dushanbe, Islamabad, Jakarta, Kabul, Nairobi, Osh, Port-au-Prince, Pretoria, Pristina, Quito, Sarajevo, Seoul, Skopje and Tbilisi), with analysts working in over 50 crisis-affected countries and territories across four continents. In Africa, this includes Angola, Burundi, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Liberia, Rwanda,

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