

CRS Report for Congress

Pakistan's Political Crisis and State of Emergency

Updated November 19, 2007

K. Alan Kronstadt
Specialist in South Asian Affairs
Foreign Affairs, Defense, and Trade Division



Prepared for Members and
Committees of Congress

Pakistan's Political Crisis and State of Emergency

Summary

On November 3, 2007, Pakistani President General Pervez Musharraf suspended the country's constitution and assumed emergency powers in his role as both president and army chief. The move came just over eight years after Musharraf overthrew the elected government in a bloodless 1999 military coup. It followed months of political crisis in the capital city of Islamabad, along with sharply deteriorating security circumstances across the country. In the days immediately following the move, the Islamabad government placed numerous Supreme Court justices under house arrest, and jailed thousands of political opposition figures, human rights activists, and lawyers who opposed the abrogation of rule of law. It also cracked down on independent media outlets, many of which were shut down completely, including the country's largest private television station.

President Musharraf has sought to justify this "second coup" as being necessary to save Pakistan from Islamist extremism and from a political paralysis he blamed largely on the country's Supreme Court. The United States, which had exerted diplomatic pressure on Musharraf to refrain from imposing a state of emergency, views Pakistan as a vital ally in global and regional counterterrorism efforts, and it has provided considerable foreign assistance to Pakistan since 2001, in part with the goal of facilitating a transition to democracy in Islamabad. Washington and other world capitals continue to pressure Musharraf to return Pakistan to its pre-November 3 political circumstances, relinquish his status as army chief, and hold free and fair elections in January 2008. Musharraf has vowed to hold elections as scheduled and to resign his military commission in coming weeks, but he thus far resists international pressure to lift the emergency. Opposition political parties have threatened to boycott any elections that are held while emergency rule is in place.

The Islamabad government's harsh crackdown on political opposition apparently has spurred former Prime Minister Benazir Bhutto, leader of the country's leading opposition party, to end what had been ongoing negotiations toward a power-sharing arrangement with Musharraf. The U.S. government has supported such an accommodation as being in the best interests of both Pakistan and the United States. In light of undemocratic developments that constitute a major setback for U.S. policy toward Pakistan, U.S. officials are reevaluating their approach, and many in Congress have called for cutting or halting certain types of U.S. assistance to Pakistan, in particular military aid that is not directly related to counterterrorism. S.Res. 372 and H.Res. 810, both calling for an end to the state of emergency in Pakistan, were introduced in Congress on November 8. H.Res. 823, condemning the imposition of emergency rule in Pakistan, was introduced in the House on November 14. See also CRS Report RL33498, *Pakistan-U.S. Relations*. This report will be updated.

Contents

Overview	1
Political Crisis in 2007	4
Judicial Crisis	4
President Musharraf's Reelection	5
Musharraf-Bhutto Engagement	6
Benazir Bhutto's Return	7
National Election Schedule and Credibility Concerns	7
State of Emergency Imposed	7
Implications for Pakistani Democratization	10
Implications for Pakistani Security and Stability	13
Succession Issues	14
Nuclear Security	14
Implications for Pakistan-U.S. Relations	15
Policy Discussion	15
U.S. Assistance	17

Pakistan's Political Crisis and State of Emergency

Overview

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

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

The imposition of an emergency comes after months of political instability and worsening Islamist-related violence in Pakistan in 2007. Top U.S. officials repeatedly have urged President Musharraf to make more energetic efforts to restore civilian government and rule of law in Islamabad by respecting the independence of the country's judiciary, resigning his position as army chief, and holding free and fair parliamentary elections as scheduled in January 2008. Despite seemingly undemocratic developments in Islamabad, the United States has since 2001 provided billions of dollars in foreign assistance to Pakistan.

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

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

News of the emergency decree and PCO elicited immediate criticism from Washington: the State Department expressed being “deeply disturbed” by Musharraf’s extra-constitutional action, calling it a “sharp setback for Pakistani democracy.” Secretary of State Condoleezza Rice called the move a “highly regrettable” step backward and said she had “communicated very clearly to the Pakistanis that the holding of free and fair elections is an absolute necessity.” She later said U.S. aid to Pakistan would come under review and the Pentagon announced a postponement of scheduled high-level bilateral defense consultations. In his first public comments on the issue, President George W. Bush on November 5 said the United States expects elections in Pakistan as soon as possible and that Musharraf should resign his military post. Two days later, President Bush telephoned Musharraf for a “very frank discussion” on the strong U.S. belief that the Pakistani leader should resign from the military and hold elections, saying “You can’t be the president and the head of the military at the same time.” Islamabad characterized President Bush as showing understanding of the “difficult circumstances” being faced by Musharraf and of the Pakistani leader’s commitment to “full democracy and civilian rule.”³

S.Res. 372 and H.Res. 810, both calling for an end to the state of emergency in Pakistan, were introduced in Congress on November 8. H.Res. 823, condemning the imposition of emergency rule in Pakistan, was introduced in the House on November 14. On November 17, Deputy Secretary of State John Negroponte met with President Musharraf in Islamabad, reportedly delivering a “strong message” on the need to heed U.S. advice or face a possible reduction in military assistance. Islamabad rejected U.S. calls to end the emergency and dismissed the Deputy Secretary’s admonitions as “nothing new.”⁴ The Under Secretary also met with Musharraf ally and National Security Advisor Tariq Aziz and Vice Army Chief Lt. Gen. Ashfaq Pervez Kiyani, and spoke by phone with Benazir Bhutto. In a discouraging sign for human rights proponents, the U.A.E. government on the same day acceded to a request by Musharraf and shut down the Dubai broadcast facilities of Pakistan’s largest private television network, Geo.

Musharraf’s “second coup” appears to many observers to be a desperate power grab by a badly discredited military ruler. A former Bush Administration envoy to Pakistan said, “Musharraf has committed the political equivalent of a suicide bombing. He blasted his political credibility and legacy and in the process killed the transition to civilian democracy. It is a tragedy.” Another long-time Pakistan watcher called the Proclamation of Emergency a “sputtering, angry document” that served to expose Musharraf’s own failure after eight years of military rule.⁵ While

³ See [<http://www.state.gov/r/pa/prs/ps/2007/nov/94581.htm>]; [<http://www.state.gov/secretary/rm/2007/11/94586.htm>]; [<http://www.whitehouse.gov/news/releases/2007/11/20071105-3.html>]; “Bush Speaks to Musharraf, Urges Elections,” *Reuters*, November 7, 2007; [http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_273_07.htm].

⁴ “US Warns Pakistan’s Musharraf Over Military Aid: Diplomats,” *Agence France Presse*, November 17, 2007; Paul Haven, “Pakistan Rejects Calls to End Emergency,” *Associated Press*, November 18, 2007. After meeting with Musharraf, the Deputy Secretary declined to comment directly on the issue of U.S. assistance.

⁵ Wendy Chamberlain, “Pakistan’s Crisis: US Reaction?” (speech transcript), November 6, (continued...)

Musharraf continues to insist that the emergency decree was meant to deal with the country's security crisis and spreading Islamist militancy, most analysts believe it was a preemptive assault on the country's judiciary in light of signs that the Supreme Court was set to invalidate Musharraf's October 6, 2007, reelection as president.

There are fears that the move could, in fact, further destabilize Pakistan and embolden Islamist militants, while further alienating Pakistani civil society. It may also bring a surge in unwanted attention to the Pakistani military's failure to defeat the country's militant extremist elements, as well as to its major and hugely profitable role in the country's economy. Moreover, Pakistan's Western allies find themselves in the awkward position of supporting an increasingly unpopular Musharraf who has now twice used force to obtain or maintain power.⁶ One senior Washington-based Pakistan watcher called Musharraf's move a more or less direct result of three key developments: a "catastrophic course" taken by the Bush Administration when it began pressuring him to hold free and fair elections; Supreme Court challenges to the military's preeminence; and a dramatic increase in militant attacks against the army itself. This analyst sees the best-case scenario — "carefully controlled elections" followed by a successful Musharraf-Bhutto accommodation — as coming under specific threat from both the forceful resistance of militants and the political resistance of Musharraf's civilian allies in the ruling Pakistan Muslim League faction (PML-Q). There is also the risk that Pakistan's multi-ethnic army could lose its coherence and/or the country itself could fracture along ethnic lines.⁷ The security of Pakistan's nuclear weapons and materials becomes an especially crucial issue during a period of political instability in Islamabad.

The Islamabad government's harsh crackdown on political opposition apparently has spurred former Prime Minister and recently-retired opposition leader Benazir Bhutto to end what had been ongoing negotiations toward a power-sharing arrangement with Musharraf. Bhutto is "chairperson for life" of what arguably is Pakistan's most popular party, the Pakistan People's Party (PPP), which won the most total votes in the 2002 national election. Musharraf, for his part, has called Bhutto "too confrontational" and has himself ruled out further power-sharing negotiations. The U.S. government has supported a Musharraf-Bhutto accommodation as being in the best interests of both Pakistan and the United States.

⁵ (...continued)

2007; Paula Newberg, "Meet the New Boss, Same as the Old Boss," *Friday Times* (Lahore), November 9, 2007.

⁶ "A Desperate Power Grab in Pakistan" (editorial), *Financial Times* (London), November 4, 2007; "Emergency Could Backfire on Musharraf," *Associated Press*, November 4, 2007; Peter Wonacott, "Emergency Rule in Pakistan Puts Military Under the Gun," *Wall Street Journal*, November 5, 2007; Shahan Mufti and Mark Sappenfield, "Emergency Rule in Pakistan: Musharraf's Last Grab for Power?," *Christian Science Monitor*, November 5, 2007.

⁷ Stephen Cohen, "Catastrophe or a Last Chance in Pakistan?," November 5, 2007, at [http://www.brookings.edu/opinions/2007/1105_pakistan_cohen.aspx].

Political Crisis in 2007

Pakistan has in 2007 been suffering from considerable political uncertainty as the tenuous governance structure put in place by President Musharraf came under strain. Among ordinary Pakistanis, criticism of the military — typically among the most respected institutions in the country — and its role in governance has become much more common, especially as the army has proven unable to ensure security and stability in both major cities and in the western provinces of Baluchistan and the North West Frontier. Many among the Pakistani public appear increasingly put off by a seemingly arbitrary electoral process that preserves the power of a corrupt elite that demonstrates little meaningful concern with the problems of ordinary citizens. Moreover, there has been an accompanying and widespread dismay among Pakistanis at the appearance of unabashed U.S. interference in their political system, interference that from their perspective serves only to perpetuate the corruption.⁸

Judicial Crisis

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

The deposed Chief Justice became an overnight political celebrity. In May, tens of thousands of supporters lined the streets as Chaudhry drove from Islamabad to Lahore to address the High Court there. Chaudhry later flew to Karachi but was blocked from leaving the city's airport, reportedly by activists of the regional, government-allied Muttahida Qaumi Movement (MQM) party. Ensuing street battles between MQM cadres and opposition activists left at least 40 people dead on May 12, most of them PPP members. Reports had local police and security forces standing by without intervening while the MQM attacked anti-Musharraf protesters, leading many observers to charge the government with complicity in the bloody rioting.⁹ In July, in what was widely seen as a major political defeat for Musharraf, the Supreme Court unanimously cleared Chaudhry of any wrongdoing and reinstated him to office. When, in August, Musharraf reportedly came close to declaring a state

⁸ Henry Chu, "Pakistanis Crave Fresh Faces in Politics," *Los Angeles Times*, November 19, 2007; Emily Wax and Imtiaz Ali, "Pakistanis Growing Frustrated With U.S.," *Washington Post*, November 16, 2007.

⁹ The Human Rights Commission of Pakistan called the riots "the result of a calculated adventure hatched by the president and the MQM with the cooperation of the Sindh government" (May 13, 2007, press release at [<http://www.hrcp.cjb.net>]; see also Isambard Wilkinson and Massoud Ansari, "Pakistan on Brink of Disaster as Karachi Burns," *Telegraph* (London), May 12, 2007 and Griff Witte, "Clashes in Pakistan Kill 28, Injure Scores as Unrest Escalates," *Washington Post*, May 13, 2007).

of emergency, Secretary of State Rice placed a late-night telephone call to Islamabad, by some accounts in a successful effort to dissuade him.

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

President Musharraf's Reelection

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

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

¹⁰ See [<http://usembassy.state.gov/pakistan/h07092402.html>]; "Rice Says Arrests of Pakistani Opposition Troubling," *Reuters*, September 24, 2007.

Musharraf-Bhutto Engagement

President Musharraf and former Prime Minister Benazir Bhutto have in 2007 been negotiating a power-sharing arrangement that could facilitate Musharraf's continued national political role while also allowing Bhutto to return to Pakistan from self-imposed exile, potentially to serve as prime minister for a third time. The Bush Administration reportedly has encouraged such an arrangement as the best means of both sustaining Musharraf's role and of strengthening moderate political forces in Islamabad. Pakistan's deputy information minister reportedly claimed that the United States essentially forced a reluctant Islamabad to allow Bhutto's return from exile.¹¹ Some analysts take a cynical view of Bhutto's motives in the negotiations, believing her central goal is personal power and removal of standing corruption cases against her.¹² Bhutto insists that she has engaged Musharraf so as to facilitate "an effective and peaceful transition to democracy."

On October 4, President Musharraf and Bhutto agreed to an accord that could pave the way for a power-sharing deal. The National Reconciliation Ordinance (NRO) provides amnesty for all politicians who served in Pakistan between 1988 and 1999, thus essentially clearing Bhutto of pending and potential corruption charges. Officials said the amnesty would not apply to former Prime Minister Sharif. In return, Bhutto reportedly agreed (tacitly) to accept Musharraf's reelection plans. The Supreme Court subsequently put a spanner in Bhutto's scheme by ruling on October 12 that it would hear challenges to the NRO, thus threatening a Musharraf-Bhutto deal by potentially reinstating corruption charges against the former prime minister. Many Pakistanis were unhappy with news of the potential deal, viewing it as a politically unprincipled arrangement between two opportunistic figures. Following the imposition of emergency, Bhutto stated that she would not meet or negotiate with Musharraf, further diminishing prospects for a deal.

When asked whether the United States still favors a Musharraf-Bhutto power-sharing agreement in the wake of the emergency decree and deteriorating relations between the president and former prime minister, U.S. officials only reiterate a belief that Pakistan's moderate forces should work together to bring constitutional, democratic rule. Yet reports continue to suggest that Washington is pushing for such an accommodation even after Bhutto's apparently full embrace of the opposition.¹³

¹¹ Paul Wiseman, "Official: U.S. Forced Pakistan to Allow Bhutto Back," *USA Today*, October 29, 2007.

¹² See, for example, Ijaz Hussain, "Deal-ing a Bad Hand," *Daily Times* (Lahore), August 29, 2007; Jane Perlez, "Bhutto's Persona Raises Distrust, As Well As Hope," *New York Times*, November 11, 2007. Bhutto's own niece has called the political posturing "sheer pantomime" (Fatima Bhutto, "Aunt Benazir's False Promises," *Los Angeles Times*, November 14, 2007).

¹³ "U.S. Trying to Revive Musharraf-Bhutto Deal," *Reuters*, November 17, 2007.

Benazir Bhutto's Return

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

National Election Schedule and Credibility Concerns

Under the country's constitution, Pakistan's next parliamentary and provincial elections must take place by January 15, 2008, or within 60 days of the November 15, 2007, end of the current bodies' terms. Even before the emergency proclamation, some observers saw signs that the government did not intend to conduct credible elections, most prominently controversy surrounding the possible disenfranchisement of scores of millions of Pakistanis from voter rolls and the apparent absence of an effective and neutral Election Commission. More than \$26 million in U.S. aid to Pakistan has been devoted to bilateral and multilateral democracy-related programs there, including the provision of 430,000 transparent ballot boxes purchased in tandem with the Japanese government, as well as part of an effort to computerize the country's voter rolls.¹⁴ Washington also plans to sponsor election observation programs in support of upcoming parliamentary elections. U.S. officials repeatedly have emphasized that the United States is neutral with regard to the outcome of Pakistan's national elections.

State of Emergency Imposed

As Islamist-related militancy surged and political uncertainty continued unabated in Pakistan in October 2007, observers grew increasingly concerned that President Musharraf would impose martial law through an emergency proclamation. When asked about the possibility on November 1, Secretary Rice said it was "quite obvious that the United States would not be supportive of extra-constitutional

¹⁴ See [<http://usembassy.state.gov/pakistan/h07110603.html>].

means,” and she reiterated Washington’s view that Pakistan “needs to prepare for and hold free and fair elections” as planned.¹⁵

President Musharraf announced his decision to declare a state of emergency in a late-night televised address to the Pakistani people on November 3. In that speech, Musharraf argued that the country was under existential threat from terrorism and extremism, and that his government and its law enforcement agencies were stricken by paralysis due especially to Supreme Court interference. He also held certain elements in the Pakistani media responsible for deteriorating conditions. Calling his emergency proclamation necessary in the interests of the state, he compared his actions to those of Abraham Lincoln’s “sweeping violations of constitutional limits” as an effort to preserve the union, and he pleaded with Pakistan’s “friends in the United States” to give the country more time to establish democratic rule.¹⁶

The emergency declaration led to an immediate and harsh crackdown on Pakistan’s independent media outlets. Numerous private television and radio stations were blacked out in the wake of Musharraf’s announcement and a new government order banned any media reports that “defame or bring ridicule” to the government or military. Violations of the order can bring a one-year prison sentence or a five million rupee (\$82,000) fine. For many days after the emergency decree, independent domestic news stations, as well as international outlets such as the BBC and CNN, remained off the air in Pakistan. The government also ordered the expulsion of three foreign journalists for using “foul and abusive” language about the country’s leadership in a British newspaper article.

Moreover, several thousand opposition figures, human rights activists, and lawyers were rounded up and detained in the days following the emergency proclamation.¹⁷ On the Monday after Musharraf’s weekend speech, thousands of lawyers protested in several Pakistani cities and were met with police beatings and mass arrests. Chief Justice Chaudhry, who was among seven Supreme Court judges dismissed by the Musharraf government, publicly urged the country’s lawyers to continue their protests. The U.S. government expressed “grave concern” at the crackdown, calling such “extreme and unreasonable measures” contradictory to the goal of a fully democratic Pakistan.¹⁸ Musharraf later had Pakistan’s 1952 Army Act amended to allow for military trials of civilians, chilling human rights groups and

¹⁵ Griff Witte and Imtiaz Ali, “U.S. Warns Musharraf Not to Use Martial Law,” *Washington Post*, November 2, 2007.

¹⁶ Unofficial speech transcript at [<http://www.indybay.org/newsitems/2007/11/05/18458318.php>].

¹⁷ On November 6, 33 U.S. Senators signed a letter to President Musharraf urging him to immediately release leading Pakistani lawyer and opposition political figure Aitzaz Ahsan from prison.

¹⁸ Gretchen Peters, “Pakistan Stifles Media, Cuts Phone Lines,” *ABC News* (online), November 4, 2007; Jane Perlez and David Rohde, “Pakistan Attempts to Crush Protests by Lawyers,” *New York Times*, November 6, 2007; U.S. Embassy statement at [<http://usembassy.state.gov/pakistan/h07110401.html>].

potentially providing a retroactive sanctioning of “disappearances” traced to the country’s security services and criticized by the Supreme Court.¹⁹

As noted above, the United States called the emergency declaration a serious setback to Pakistan’s democratization process. Many other world governments, including that of key Pakistani benefactor Britain, echoed U.S. criticisms. Pakistani neighbor and rival India, wary of becoming involved in Pakistan’s domestic problems, issued a notably restrained expression of “regret” for “the difficult times that Pakistan is passing through.” The Dutch government froze more than \$60 million in planned aid for Pakistani education and environment programs; other governments put their aid programs under review. In response to what it called “unwarranted criticism and excessive reactions” from abroad, Pakistan’s Foreign Ministry asked that the international community “show understanding of this difficult decision” and reiterated that the government and President Musharraf are “committed to full civilian democratic rule and holding of elections.”²⁰

An extraordinary November 12 session of the 53-member Commonwealth Ministerial Action Group (CMAG) issued a condemnation of the abrogation of the Pakistani Constitution and threatened Pakistan with suspension from the Commonwealth unless Musharraf repeals the emergency provisions, retires from the army, releases all political detainees, and removes curbs on media freedom by November 22. Islamabad expressed “deep disappointment and regret” at the CMAG statement, saying it reflected “ignorance to the ground realities.”²¹

International human rights groups were vociferous in their criticisms: New York-based Human Rights Watch decried the “coup against Pakistan’s civil society” and demanded that Pakistan immediately return to constitutional rule and end its crackdown on the judiciary, media, human rights activists, and political opponents. London-based Amnesty International warned that the “wholesale abrogation of fundamental human rights protections” represented a “blatant breach of international law” and it also demanded the restoration of human rights and justice.²² The Pakistani public appeared overwhelmingly opposed to Musharraf’s coup, but street protests have thus far been modest in scale (due in part to police crackdowns and blockades). The Pakistani media were largely unanimous in their criticism of what was widely seen to be a bald-faced attempt by Musharraf to maintain his own power in the face of increasing pressures.²³ Many leading U.S. press outlets have urged the

¹⁹ “Pakistan: Rescind Decree Allowing Military Trials of Civilians,” Human Rights Watch Press Release, November 14, 2007.

²⁰ See [http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_271_07.htm].

²¹ See [<http://www.thecommonwealth.org/news/172238/121107cmag.htm>] and [http://www.mofa.gov.pk/Press_Releases/2007/Nov/PR_277_07.htm].

²² See [<http://hrw.org/english/docs/2007/11/04/pakist17241.htm>] and [<http://web.amnesty.org/library/print/ENGASA330412007>]. HRW also urged President Bush and key U.S. congressional appropriators to suspend all non-humanitarian aid to Pakistan until Musharraf’s emergency policies are reversed.

²³ Sam Dolnick, “World Leaders Condemn State of Emergency in Pakistan,” *Associated* (continued...)

Bush Administration to end its reliance on Musharraf, seeing him as an obstacle both to more effective counterterrorism efforts and to democratization.²⁴

Implications for Pakistani Democratization

By imposing what is in essence martial law — and perhaps maneuvering to hold national elections under a state of emergency — President Musharraf has done great harm to the cause of Pakistani democratization. Islamabad has sought to assure foreign governments that the emergency is a temporary measure and will soon be lifted. Prime Minister Aziz at first suggested that national elections could be delayed for up to one year, then later said the polls would be held “according to schedule.” However, many observers have predicted that elections are likely to be postponed until Musharraf consolidates his grip on power and has sufficiently hamstrung the opposition.²⁵ Some analysts also expect that Musharraf will now further delay his planned retirement from the army, perhaps even if the new Supreme Court validates his October 6 reelection as president.²⁶ At the time of writing, the newly reconstituted Supreme Court is in the midst of striking down challenges to the validity of Musharraf’s reelection, meaning he may soon retire his position as army chief. Yet opposition political parties have threatened to boycott any elections that are held under emergency rule.

Former Prime Minister Bhutto’s evolving political posturing has been under close watch: she was the only major opposition figure spared from jail in Musharraf’s crackdown and she can heighten her influence by taking her party faithful to the streets in protest against military rule. By the Monday following the weekend emergency decree, Bhutto was making plans to lead a party rally in Rawalpindi and threatened to lead a mass protest march to the capital unless Musharraf quits as army chief, holds elections, and restores the constitution. She set a November 9 deadline for Musharraf’s compliance (he promptly dismissed the

²³ (...continued)

Press, November 3, 2007; Indian External Affairs Ministry Press Release, November 3, 2007; “World Reconsiders Pakistan Aid,” *CNN.com*, November 5, 2007; David Rohde, “Anger at Decree Runs Deep in Pakistanis,” *New York Times*, November 9, 2007; “Simon Gardner, “Pakistan’s Media Slams Musharraf’s ‘Second Coup,’” *Reuters*, November 4, 2007.

²⁴ An example is “The General Must Go” (editorial), *Washington Post*, November 11, 2007.

²⁵ “Emergency Short-Term, Envoys Told,” *Daily Times* (Lahore), November 5, 2007; “Pakistan PM Says Election Will Be Held on Schedule,” *Reuters*, November 5, 2007; “Elections Appear Far Off in Pakistan: Analysts,” *Agence France Presse*, November 5, 2007.

²⁶ Laura King, “Quitting the Army a Risky Proposition for Musharraf,” *Los Angeles Times*, November 15, 2007; “President’s Game Plan Will Change Drastically,” *News* (Karachi), November 5, 2007.

ultimatum). Until issuing that threat, Bhutto was seen to be hedging her bets by refraining from the sharpest criticisms of Musharraf's actions.²⁷

On November 8, Musharraf announced that elections would be held by mid-February, but Bhutto called the vow "vague and insufficient;" she stuck by her standing demands while adding another: a condition that only the pre-November 3 Supreme Court could legitimately rule on Musharraf's eligibility to serve a second term as president. By this time security forces had rounded up and detained several thousand PPP activists. The planned November 9 protest rally in Rawalpindi was derailed when the government deployed thousands of police to confine Bhutto to her home in Islamabad while another 8,500 police locked down the city of Rawalpindi.

Musharraf next specified that poll would come by early January, but he declined to set a date for ending the emergency (other government officials had suggested the emergency would be lifted by early December). Bhutto responded by ending negotiations with Musharraf and promising to go ahead with a November 13 "long march" protest from Lahore to Islamabad. As the date approached, authorities again placed her under house arrest with a seven-day detention order, and some 600 police surrounded the Lahore home of her host (the order was lifted on November 16). In a powerful indicator of a major policy change, Bhutto declared, "It's over for Musharraf," and she proffered her most stringent public demand to date: that Musharraf resign both his military commission *and* presidency. She called on the international community to stop backing the "dictator" and subsequently reached out to other opposition leaders, including former Prime Minister Sharif — who quickly welcomed her shift away from Musharraf — and even Qazi Hussain Ahmed, chief of the Islamist Jamaat-i-Islami party. Musharraf, for his part, has called Bhutto "too confrontational" and has himself ruled out further power-sharing negotiations.²⁸

In Bhutto's view, the ruling, Musharraf-allied PML-Q party saw its fortunes rapidly declining and expected to lose badly in any free election. Thus, she asserts, its leaders chose to collude with allies in the intelligence agencies to have the polls postponed (she has called Musharraf's electoral plans "a farce"). Former Prime Minister Sharif has been even more explicit in his criticisms of Musharraf, calling him a "one-man calamity" who has single-handedly brought ruin to Pakistan through efforts to retain personal power. Sharif calls for restored democracy and urges the U.S. government to support the Pakistani nation rather than a single individual.²⁹ With Bhutto's and the PPP's blessing, the country's long-divided opposition parties

²⁷ Zeeshan haider, "Bhutto Threatens Musharraf With 'Long March,'" *Reuters*, November 7, 2007; Shahan Mufti and Mark Sappenfield, "Key Leaders Stay Silent in Pakistan," *Christian Science Monitor*, November 6, 2007.

²⁸ "Benazir Terms Pledge 'Vague, Insufficient,'" *News* (Karachi), November 9, 2007; "Bhutto to Musharraf: It's Time to Quit," *Agence France Presse*, November 13, 2007; "Pakistan's Bhutto Building Opposition Alliance," *Agence France Presse*, November 13, 2007; Emily Wax, "Musharraf, In Interview, Holds Firm on Crackdown," *Washington Post*, November 17, 2007.

²⁹ Benazir Bhutto, "Musharraf's Martial Plan," *New York Times*, November 7, 2007; Benazir Bhutto, "Musharraf's Electoral Farce," *Washington Post*, November 14, 2007; Nawaz Sharif, "Pakistan's One-Man Calamity," *Washington Post*, November 17, 2007.

may be able to coalesce around a common agenda that might even include restoration of the pre-October 1999 Constitution.³⁰

On November 9, Secretary Rice said U.S. concerns about Pakistan were focused on three particular issues: 1) an end to the state of emergency as quickly as possible; 2) an announcement that elections would be held no later than February 15; and 3) the removal of media restrictions and the release of political detainees. She opined that it would be “very difficult” to have free and fair elections in Pakistan under a state of emergency. Other analyses have been less circumspect. For example, a Pakistani legislative watchdog organization called it “obvious” that free and fair elections are not possible in a setting that includes a suspended Constitution, suspended basic human rights, the sacking of most Supreme Court justices, the imprisonment of thousands of political activists and lawyers, and the restriction of media freedoms.³¹ When Deputy Secretary Negroponte met with Musharraf on November 17, he delivered a message that emergency rule was “not compatible” with free and fair elections. A report by the Brussels-based International Crisis Group concluded that Musharraf has sought to smother Pakistan’s nascent moves toward civilian rule and that no “proper” elections can be held in the current setting. It called on the international community to recognize Musharraf’s negative role and respond with graduated aid sanctions that would target the military without reducing its counterterrorism capabilities, while at the same time expanding development aid.³²

Musharraf reportedly told a meeting of PML-Q parliamentarians that elections would not be held under U.S. dictation, and he repeatedly refused to give a firm date for either ending the essential martial law or resigning his military title. On November 14, he said he expected to quit as army chief by November’s end, following an expected Supreme Court ruling that would validate his October 2007 reelection. Yet days later he reportedly told visiting U.S. Deputy Secretary of State Negroponte that the emergency would be lifted only after Pakistan’s security situation is sufficiently improved.³³

Pakistan’s National Assembly ended its five-year term on November 15. This was the first time in the country’s history that the body had completed a full term without interruption. With Shaukat Aziz’s term also ending, President Musharraf appointed his political ally and current Chairman of the Senate, Mohammadmian Soomro, to serve as caretaker Prime Minister during the election period. Soomro, who also is the constitutional successor to the Pakistani presidency should the office become vacant, is a former banker from an influential Sindhi family. At the same time, Benazir Bhutto rejected the caretaker government and appeared to be seeking

³⁰ Ahmed Hassan, “Nawaz’s Offer to Benazir,” *Dawn* (Karachi), November 11, 2007.

³¹ See [<http://www.state.gov/secretary/rm/2007/11/94868.htm>]; Pakistan Institute of Legislative Development and Transparency, *Election Monitor* 7, November 14, 2007.

³² See [<http://www.crisisgroup.org/home/index.cfm?id=5156&l=1>].

³³ Irfan Ghauri, “No Election Decision Under US Dictation, Musharraf Tells MPs,” *Daily Times* (Lahore), November 7, 2007; Jane Perlez and David Rohde, “Musharraf Refuses to Give Date for Ending Rule by Decree,” *New York Times*, November 11, 2007; “Emergency to Stay for Now, Musharraf Tells US: Aide,” *Agence France Presse*, November 17, 2007.

formation of a “national unity government” that would oversee planned elections. Many analysts view the caretaker cabinet as being stacked with partisan Musharraf supporters and so further damaging to hopes for credible elections.³⁴

Implications for Pakistani Security and Stability

Islamist extremism and militancy has been a menace to Pakistani society throughout the post-2001 period and has become especially prevalent in 2007. In the months since an early July commando raid on a radical Islamabad mosque, religious militants have perpetrated more than two dozen suicide bomb attacks — most of them against security personnel — taking up to 600 lives, and “neo-Taliban” militants have taken control of western regions such as Waziristan and Swat, where government troops have engaged costly and sometimes losing battles. Despite Musharraf’s ostensible motives, the imposition of a state of emergency is likely to further inflame anti-Musharraf sentiment among the Pakistani public and aggravate already considerable civil-military tensions. Moreover, by redirecting resources toward subduing Pakistani civil society, the move may even hinder the military’s ability to combat religious extremists, who many argue are strengthened by authoritarian rule that weakens the country’s moderate political forces.³⁵

Musharraf’s imposition of emergency has not led to any noticeable improvement in his government’s battle with the militants as Pakistan troops have continued to appear on the defensive in provincial conflict regions.³⁶ By one account, Islamist militants in the Swat Valley have more than doubled the territory under their control since November 3.³⁷ The International Crisis Group report on “Winding Back Martial Law in Pakistan” warned that,

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

³⁴ See, for example, Hasan-Askari Rizvi, “Divergent Paths,” *Daily Times* (Lahore), November 18, 2007; “Neutral Caretaker?” (editorial), *News* (Karachi), November 17, 2007.

³⁵ Lisa Curtis, “Musharraf’s Emergency Rule Will Only Fuel Pakistan Crisis,” Heritage Foundation WebMemo No. 1691, November 5, 2007. See also Ahmed Rashid, “A Second Coup in Pakistan,” *Washington Post*, November 5, 2007; “The Pakistan Mess” (editorial), *New York Times*, November 6, 2007.

³⁶ Hameedullah Khan, “Army Takes Over Command of Security Forces in Swat,” *Dawn* (Karachi), November 13, 2007; Griff Witte and Imtiaz Ali, “Musharraf’s Army Losing Ground in Insurgent Areas,” *Washington Post*, November 13, 2007; Jane Perlez and Ismail Khan, “Militants Gain Despite Decree by Musharraf,” *New York Times*, November 16, 2007. Only hours after Musharraf’s emergency decree, pro-Taliban militants in South Waziristan released 211 Pakistani paramilitary troops they had been holding hostage since late August. Reports indicate that government authorities had released 25 detained militants in exchange for the troops, including at least two men said to be aspiring suicide bombers.

³⁷ James Rupert, “Musharraf’s Eye is Off the Taliban,” *Newsday*, November 16, 2007.

destruction of the institutions of the rule of law opens the door wider to extremism.³⁸

The developments also harmed what has been a generally strong national economy. Pakistan's main stock market lost nearly 5% of its value when trading reopened on November 5 — the market's worst-ever one-day decline — and the country's attractiveness for foreign investors may wane considerably upon further instability.

Many Western diplomats, including those from the United States, have reportedly been dismayed by President Musharraf's fixation on the Pakistani judiciary and on his arrest of civil society elements considered unthreatening to state security. Musharraf has to many observers appeared more interested in battling his domestic political adversaries than in taking on the country's religious militants. When asked about this apparent contradiction, a White House spokeswoman said, "We do not believe that any extra-constitutional means were necessary in order to help prevent terrorism in the region."³⁹

Succession Issues

In the days after the emergency proclamation, rumors abounded in Pakistan that President Musharraf had himself been placed under house arrest. However, the only figures who could potentially unseat Musharraf — intelligence chiefs and corps commanders — all were handpicked by Musharraf on the assumption that they would remain loyal to him (the Vice Army Chief and Musharraf's leading potential successor in the military ranks is Lt. Gen. Kiyani, widely seen to be a moderate, professional, and pro-Western soldier). While Pakistan's influential army corps commanders appear to have fully endorsed the imposition of emergency, they may be much less approving of a power-sharing arrangement that would include Bhutto. Given its collective interest in maintaining a unified chain of command, however, most analysts see the army's top leadership staying united and thus maintaining a relative degree of order in the country. The probability of Musharraf being removed from office by force is therefore considered to be quite low. Should a major outpouring of public protest occur, however, it is possible that Musharraf's powerful military subordinates could seek his resignation in the national interest.⁴⁰

Nuclear Security

Among the most urgent concerns of U.S. officials during Pakistan's political crisis has been the security of Pakistan's nuclear weapons and materials, which could be degraded as instability persists. While the danger of Islamist extremist gaining

³⁸ See [<http://www.crisisgroup.org/home/index.cfm?id=5156&l=1>].

³⁹ David Rohde, "A Detour From a Battle Against Terror," *Washington Post*, November 6, 2007; White House statement at [<http://www.whitehouse.gov/news/releases/2007/11/20071105-2.html>].

⁴⁰ M. Ilyas Khan, "Does Musharraf Face Risk of a Coup?," *BBC News*, November 5, 2007; George Friedman, "Pakistan and Its Army," *Stratfor*, November 6, 2007; Shahan Mufti, "Pakistan's Final Arbiter: The Army," *Christian Science Monitor*, November 9, 2007.

possession of a nuclear explosive device is considered remote, the risk of rogue scientists or security officials seeking to sell nuclear materials and/or technology is seen to be higher in a setting of deteriorating security conditions. Pentagon officials backpedaled from early expressions of concern, saying they believe Pakistan's arsenal was "under the appropriate control." The United States reportedly has spent nearly \$100 million since 2001 on a classified program to help secure Pakistan's strategic weapons. Islamabad emphatically rejects suggestions that the country's nuclear arsenal is anything but fully secure.⁴¹

Implications for Pakistan-U.S. Relations

Policy Discussion

The ability of the United States to effectively exert diplomatic pressure on Pakistan is demonstrably low at present. President Musharraf's emergency decree and ensuing developments in Pakistan have led to widespread concerns that the Bush Administration's Pakistan policy — and perhaps its broader anti-extremism effort — had become fragile and ineffective.⁴² On November 9, five U.S. Senators — including the Majority Leader and the Chairman of the Senate Foreign Relations Committee — signed a letter to President Bush which said Musharraf's assumption of emergency rule raised "very troubling questions" not only about the Administration's Pakistan policy, but also about its overall national security strategy. The Senators called for a broad review of Washington's Pakistan policy, including adjustments to aid programs and new steps to enhance security along the Afghanistan-Pakistan border and to defeat Al Qaeda.

An array of former U.S. government officials has insisted that military dictatorship in Pakistan is not in the U.S. interest and called on President Bush to use actions as well as words to push Musharraf back on the democratic path.⁴³ Bush Administration patience with Musharraf may be wearing thin; there are signs that it may be making firmer contingency plans in case Musharraf does not long survive in power.⁴⁴ However, and despite a sense among many independent analysts that

⁴¹ Greg Miller, "Pakistan's Nuclear Arsenal a U.S. Worry," *Los Angeles Times*, November 8, 2007; Kristin Roberts, "US Says Not Concerned About Pakistani Nukes," *Reuters*, November 14, 2007; David Sanger and William Broad, "U.S. Secretly Aids Pakistan in Guarding Nuclear Arms," *New York Times*, November 18, 2007; Pakistan Foreign Ministry statement at [http://www.mofa.gov.pk/Spokesperson/2007/Nov/Spokes_12_11_07.htm]. See also CRS Report RL34248, *Pakistan's Nuclear Weapons*.

⁴² See, for example, Brian Winter, Paul Wiseman, and Jim Michaels, "Pakistan Crisis Reveals Fragile Ties in Terror War," *USA Today*, November 8, 2007; Jay Solomon, "Discord Exposes Dearth of U.S. Options," *Wall Street Journal*, November 14, 2007.

⁴³ See, for example, Thomas Pickering, Carla Hills, and Morton Abramowitz, "The Answer in Pakistan," *Washington Post*, November 13, 2007.

⁴⁴ Brajesh Upadhyay, "US Hedges Its Bets on Musharraf," *BBC News*, November 14, 2007; "US Signals Impatience With Musharraf," *Agence France Presse*, November 15, 2007;

(continued...)

continued U.S. support for Musharraf is detrimental to overall U.S.-Pakistan relations and to U.S. interests in the region, there is to date little outward sign that the Bush Administration is preparing to withdraw its support for his continued rule.⁴⁵

In reaction to the emergency proclamation in Islamabad, Bush Administration officials said they would review relevant U.S. law on aid to Pakistan. However, Pakistan has been under democracy-related U.S. aid sanctions for more than eight years. Musharraf's extra-constitutional 1999 seizure of power triggered automatic penalties under Section 508 of the annual foreign assistance appropriations act, which bans non-humanitarian U.S. assistance "to any country whose duly elected head of government is deposed by military coup or decree." Assistance may be resumed to such government if the President certifies to Congress that subsequent to the termination of assistance a democratically elected government has taken office. Post-September 2001 circumstances saw Congress take action on such restrictions. P.L. 107-57 (October 2001) waived coup-related sanctions on Pakistan through FY2002 and granted presidential authority to waive them through FY2003. Subsequent Congresses provided further annual waiver authority. In issuing the waiver, the President must certify for Congress that it "would facilitate the transition to democratic rule in Pakistan" and "is important to United States efforts to respond to, deter, or prevent acts of international terrorism." President Bush has exercised this waiver authority five times, most recently in July 2007.⁴⁶

A State Department spokesman said it is important that the emergency decree be rescinded and that constitutional order be restored. Along with an expectation that President Musharraf honor his commitment to resign from the army, the U.S. government wants free, fair, and transparent national elections to be held on schedule. Necessary conditions for this would include "an end to the crackdown on independent media and on the political opposition..."⁴⁷ An unnamed senior Bush Administration official explained that, following the emergency proclamation, Islamabad has given mixed signals about future electoral and governance plans. As of November 5, this official was still looking for a "clarification of intentions" from Pakistan, but did note that positive indications on poll dates and restoration of constitutional order were beginning to be seen.⁴⁸ A November 9 statement from the U.S. National Security Council spokesman urged "Pakistan's authorities" to return to constitutional order and democratic norms, but — in a sign that the Bush

⁴⁴ (...continued)

Helene Cooper, Mark Mazzetti, and David Rohde, "U.S. is Looking Past Musharraf in Case He Falls," *New York Times*, November 15, 2007.

⁴⁵ Jay Solomon and Yochi Dreazen, "U.S. Maps Scenarios for Pakistan," *Wall Street Journal*, November 16, 2007; Michael Abramowitz, "Musharraf Ties Pose Dilemma for Bush," *Washington Post*, November 18, 2007.

⁴⁶ See [<http://www.whitehouse.gov/news/releases/2007/06/20070629-2.html>].

⁴⁷ See [<http://www.state.gov/r/pa/prs/dpb/2007/nov/94611.htm>].

⁴⁸ See [<http://www.whitehouse.gov/news/releases/2007/11/20071105-6.html>].

Administration retains personalized ties with the Pakistani president — he declined to name Musharraf as being responsible for the crisis.⁴⁹

During a November 7 House Foreign Affairs Committee hearing on Pakistan, Deputy Secretary of State Negroponte said the Bush Administration “strongly disagreed” with the emergency imposition in Islamabad, but he also called President Musharraf “an indispensable ally in the global war on terrorism” who has overseen major accomplishments in the battle against Islamist extremism and who has helped to make Pakistan a more moderate and prosperous country. The Deputy Secretary warned that cuts to U.S. aid programs for Pakistan “would send a negative signal” and that “Pakistan’s future is too vital to our interests and our national security to ignore or to downgrade.” Several Members in attendance called for suspending some forms of aid to Pakistan until undemocratic developments there are reversed.⁵⁰

In discussing the potential implications of new governance issues in Pakistan, Administration officials have emphasized the importance of not allowing Islamabad’s continuing cooperation in anti-terrorism efforts to be undermined. Thus, the Administration likely will continue to see the demands of what it terms the “War on Terror” as trumping concerns about Pakistan’s system of governance, as it has appeared to do since 2001. Many observers viewed President Bush’s initial reaction to the emergency decree and ensuing crackdown as somewhat subdued. Some see developments in Pakistan and the Administration’s allegedly tepid response as evidence that President Bush’s so-called Freedom Agenda is applied selectively and without principle.⁵¹

U.S. Assistance

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

⁴⁹ See [<http://www.whitehouse.gov/news/releases/2007/11/20071109-7.html>].

⁵⁰ House Foreign Affairs Committee hearing on “Democracy, Authoritarianism, and Terrorism in Contemporary Pakistan,” November 7, 2007.

⁵¹ Howard LaFranchi, “Why U.S. Sticks By Musharraf,” *Christian Science Monitor*, November 6, 2007; Mark Mazzetti, “Bush Urges Musharraf to Reverse Course But Signals No Penalty If He Doesn’t,” *New York Times*, November 6, 2007; “Working With a Dictator” (editorial), *Washington Post*, November 6, 2007; Brian Bennett, “Can the US Pressure Musharraf?,” *Time* (online), November 5, 2007; Dana Milbank, “Hitting the Mute Button on the Freedom Agenda,” *Washington Post*, November 6, 2007.

military aid to Pakistan.⁵² Pending legislation would provide for further conditionality.⁵³ President Musharraf himself reached out to U.S. congressional leaders on November 6, telephoning the Chairs of the Senate and House Foreign Relations Committees in an apparent effort to discourage any new restrictions being placed on U.S. aid. However, many analysts, including those making policy for the Bush Administration, assert that conditioning U.S. aid to Pakistan has a past record of failure and likely would be counterproductive by reinforcing Pakistani perceptions of the United States as a fickle and unreliable partner.

Numerous commentators on U.S. assistance programs for Pakistan — along with some in Congress — have recommended making adjustments to the proportion of funds devoted to military versus economic aid and/or to the objectives of such programs.⁵⁴ For most of the post-2001 period, funds have been split roughly evenly between economic and security-related aid programs, with the great bulk of the former going to a general economic (budget) support fund and most of the latter financing “big ticket” defense articles such as maritime patrol aircraft, self-propelled howitzers, and upgrades for F-16 combat aircraft.⁵⁵ Only about 10% of the more than \$10 billion provided to Pakistan since 2001 (including coalition support) has been specifically devoted to development and humanitarian programs. The Bush Administration and/or Congress may find it useful to better target U.S. assistance programs in such a way that they more effectively benefit the country’s citizens. Numerous analysts call for improving America’s image in Pakistan by making U.S. aid more visible to ordinary Pakistanis.

⁵² The Implementing the 9/11 Commission Recommendations Act of 2007 (P.L. 110-53) would end U.S. military assistance and arms sales licensing to Pakistan in FY2008 unless the President reports to Congress a determination that Islamabad is undertaking a comprehensive campaign to “eliminate from Pakistani territory any organization such as the Taliban, al Qaeda, or any successor, engaged in military, insurgent, or terrorist activities in Afghanistan,” and “is currently making demonstrated, significant, and sustained progress toward eliminating support or safe haven for terrorists.”

⁵³ The Senate version of the National Defense Authorization Act for FY2008 (H.R. 1585, currently in conference committee) would withhold FY2008 and FY2009 coalition support reimbursements to Pakistan unless the President certifies to Congress that Pakistan is “making substantial and sustained efforts to eliminate safe havens for the Taliban, Al Qaeda and other violent extremists in areas under its sovereign control” Also, H.Res. 823, condemning the imposition of emergency rule in Pakistan, was introduced in the House on November 14. Among its non-binding provisions, the bill calls on President Bush to suspend all military assistance to Pakistan unless and until steps to restore democratic civilian rule are accomplished.

⁵⁴ For example, just days after the emergency declaration, the Chairman of the Senate Foreign Relations Committee, Senator Joseph Biden, called for a substantively new policy toward Pakistan that would concentrate on the Pakistani people rather than on the person of President Musharraf. Specifically, this policy would involve tripling non-security aid to Pakistan to \$1.5 billion annually; condition future security aid on Pakistan’s performance; provide a “democracy dividend” of an additional \$1 billion in aid upon the restoration of democratic rule in Islamabad; and more energetically engage the Pakistani people through public diplomacy and educational exchanges ([<http://biden.senate.gov/newsroom/details.cfm?id=287046&&>]).

⁵⁵ See also CRS Report RS22757, *U.S. Arms Sales to Pakistan*.