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7 U.S.–Pakistan relations

Ten years after 9/11

C. Christine Fair

On September 10, 2001, Pakistan was, for all intents and purposes, a rogue state. It was encumbered by numerous layers of sanctions pertaining to nuclear and missile proliferation, the 1998 nuclear tests, as well as sanctions that resulted from General Pervez Musharraf's 1999 coup. When then U.S. President Bill Clinton visited the subcontinent in 2000, he spent five days in India and mere hours in Pakistan. During that time in Pakistan, Clinton refused to shake General Pervez Musharraf's hand and hec-tored the dictator on the necessity of democracy. Pakistan was one of the three countries that recognized the odious Taliban regime and it had by the fall of 2001 secured a long track record of supporting terrorism. So much so that Pakistan teetered on the verge of being designated by the U.S. government as a state that supported terrorism in 1993.

The gruesome crimes of 9/11 changed Pakistan's fortunes and that of its military dictator, General Musharraf. By joining with the United States in its so-called "War on Terror," Musharraf was transformed from an international pariah to an international messiah. Pakistan was relieved of its sanctions, reaped billions in loan forgiveness and loan rescheduling, benefited from more than \$20 billion overt funds in military and economic assistance as well as lucrative reimbursements for military operations on its purportedly sovereign soil. Most importantly, the tragedy of 9/11 afforded Pakistan the opportunity to rehabilitate itself among the comity of nations and stave off what General Musharraf believed would be an Indian effort to take advantage of Pakistan's precarious position. Optimists believed that General and later President Musharraf would be able to navigate his country to a new future if provided adequate political, military and financial support.

Those heady days are long gone. Pakistan has not been celebrated as a light of moderation or even a reliable partner in the War on Terror for several years. In recent years, American analysts and policymakers have come to realize the United States and Pakistan have strategic interests that diverge starkly even while there are some important – albeit retrenching – issues upon which they agree. From the U.S. point of view, the crowning perfidy was the astonishing fact that Osama bin Laden was ensconced in

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Abbottabad, an army cantonment near the famous Pakistan Military Academy in Kakul. Whether or not bin Laden enjoyed the support of the highest military and intelligence officials is immaterial to U.S. lawmakers, analysts and citizens.

From Pakistan’s point of view – particularly that of the army and the ISI – the most humiliating outrage was the fact that a U.S. Navy SEAL team launched a unilateral helicopter-borne military operation on May 1, 2011 to kill bin Laden and extricate his corpse. Despite a forty-minute firefight, the U.S. stealth choppers infiltrated and exfiltrated Pakistani airspace before the Pakistani army even figured out its airspace had been violated. While U.S.–Pakistan relations had not recovered from that blow, the bizarre “memo scandal,” which allegedly involved former Pakistani ambassador to the United States Hussain Haqqani and shady businessman Mansur Ijaz, further undermined rapprochement. Then on November 24, NATO launched airstrikes upon Pakistani positions that resulted in the deaths of twenty-four Pakistani army personnel. Pakistanis are convinced that the attack was just desserts for Pakistan’s decade of support to the Afghan Taliban who have killed thousands of U.S. and allied troops and civilians in Afghanistan. The United States, while acknowledging that it was largely culpable for the tragedy, has refused to apologize to Pakistan for the same reason.

After ten years of precarious military, intelligence and other security cooperation between Pakistan and the United States, the two countries could not be more at odds. Worse, as much as they despise each other, they both know that their security depends in varying degrees upon the other. However, at the time of writing, the way forward is far from this obvious.

This chapter will first briefly summarize the enduring challenges that Pakistan presents. It will then examine how the peculiar and suboptimal impasse has come about. The author argues that the looming 2014 date, when the United States will begin scaling back kinetic activities in Afghanistan, may present new opportunities for the United States to re-optimize its position in the region.

The Pakistan problem

Pakistan’s problems are as well-known as they are numerous. Pakistan is both the source of terrorists operating throughout the region and beyond (some of which enjoy explicit state sanction) and increasingly the victim of terrorist groups that have emerged from its erstwhile proxies. Despite its mooring as a parliamentary democracy, the state has been dominated by the army, which has governed Pakistan directly or indirectly for most of the state’s existence. While democracy has never fully taken root, authoritarianism has never garnered widespread legitimacy. Thus the army always comes to power through the connivance and acquiescence of the broad

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1 array of civilian institutions and personalities necessary to provide a patina
2 of legitimacy to its seizure of power.

3 The army enjoys a generally accepted “right to intervene” due in part to
4 Pakistan’s origins as an insecure state and the intractable security competi-
5 tion with India, which first centered on the disputed disposition of
6 Kashmir but now derives from India’s ascent as an emerging global power.
7 The army believes itself to be the only institution capable of protecting
8 Pakistan, and many Pakistanis share that belief. Because the army sets
9 external policies, including those on the use of Islamist militants, normal-
10 ized civil–military relations are likely a necessary (if insufficient) condition
11 for Pakistan to resolve its security concerns vis-à-vis India. However,
12 because such normalization would vitiate the Pakistani army’s arrogated
13 right to manage Pakistan’s affairs, the army itself is an important institu-
14 tional stakeholder that may resist normalization.

15 Pakistan is also riven with ethnic discord, often stemming from strained
16 center-provincial tensions, which include the center’s refusal to devolve
17 power and control of resources to the provinces, consonant with the 1973
18 constitution. Pakistan faces numerous governance challenges throughout
19 the country, but these challenges are most acute in the Federally Adminis-
20 tered Tribal Areas (FATA). The state has made successive policy decisions
21 to keep FATA beyond the remit of the law by maintaining a draconian,
22 colonial-era legal instrument, the Frontier Crimes Regulation, which facil-
23 itates control of the area but not its incorporation into Pakistan’s legal
24 structures. To manage both internal and external concerns, the state
25 under both military and civilian leadership has instrumentalized Islam in
26 various ways, to varying degrees, with a variety of outcomes. In short, Paki-
27 stanis continue to wrestle with foundational issues, such as the role of
28 Islam in the state, who is a Pakistani and who is not, what relationship
29 should exist between the center and the provinces, where the balance of
30 power should lie, and what kind of Islam Pakistan should embrace as a
31 state.

32 Since 1947, Pakistan’s polity has been unable to resolve foundational
33 questions about the nature of the state. Is it to be an Islamic state? Is it to
34 be a state for South Asia’s Muslims which provides protection to Pakistan’s
35 small, but important, non-Muslim minorities? If it is to be an Islamic state,
36 whose Islam should it embrace? Not only have these questions not abated
37 in the sixty-five years since independence, they have become more acute.
38 In the past, proponents of rendering Pakistan a Sunni Muslim country
39 aimed their sights at non-Muslim minorities, Ahmadiyya and Shi’ah. In
40 recent years, members of the Sunni Deobandi sect have increasingly
41 sought to declare Barelvis (sufis) as apostates and therefore subject to viol-
42 ence. In the last few years, Deobandi militant groups have conducted
43 suicide and other terror attacks upon Pakistan’s cherished sufi shrines.
44 They argue that shrine-related religious practices are accretions from
45 Hinduism and anathema to Islam.

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While these myriad challenges are often evaluated as distinct issues in isolation from the others, their origins are fundamentally similar: the failure of constitutionalism to fructify in Pakistan, despite the fact that the country has forged and subsequently abandoned numerous constitutions. Unfortunately, the weaknesses of Pakistan’s political and civil society institutions, the groundswell of emergent domestic threats, and the failed institutions of governance and internal security will likely prevent Pakistan’s varied polities from forging a consensus on these foundational issues.

Apart from numerous security related dilemmas, Pakistan presents enduring economic challenges. Its leaders have long refused to expand Pakistan’s tax net by imposing agricultural and industrial taxes. Income tax compliance is extremely low. The government is therefore overly reliant upon regressive sales tax, which affects the poor disproportionately more than those who are well off.

Given Pakistan’s notorious patronage-driven politics and craven political institutions, which are vertically integrated personality cults, there appear few prospects for political leadership that can exert civilian control over the military and slowly enact reforms that are required for Pakistan to be a state that can pay its bills and exert the writ of law across its territorial expanse.

A decade of missed opportunities?

Over the last ten years, the United States has pursued relations with India and Pakistan under the rubric of “de-hyphenation.” That is, Washington has interacted with New Delhi and Islamabad without regard to their long-standing and intractable security competition.¹ Proponents of this policy tend to advocate vertically integrating U.S. policies towards India and Pakistan while minimizing the real collateral effects that engaging either India or Pakistan has on the other. While this has been an elegant rhetorical argument motivating foreign policy, its practicality has been belied by the zero-sum nature of Indo-Pakistan competition itself.

While the United States has sought to cultivate Pakistan’s support in the struggle against violent Islamist extremism, at a significant cost to the Pakistani state, the United States has also pledged its support to help India become a global power, including military assistance and the infamous Indo-U.S. nuclear deal. Equally problematic, the United States has encouraged Indian involvement in Afghanistan without regard to Pakistan’s concerns and often without any genuine consideration – much less assessment – of what India is actually doing apart from its stated activities.

On the other hand, U.S. cupidity towards Pakistan has overwhelmingly emphasized the provision of support to Pakistan’s military. India has long complained – with considerable justification – that U.S. assistance has been directed into Pakistan’s growing nuclear arsenal and that the weapons systems provided to Pakistan – such as F-16s – have greater utility against India than against Pakistan’s domestic insurgents and terrorists.

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1 Whether Islamabad and/or Rawalpindi believed that Pakistan's abandon-
2 ment of the Afghanistan Taliban in 2001 would be temporary or
3 whether this overture signaled a genuine willingness to change course will
4 likely never be known. However, a perusal of President Musharraf's
5 September 19th, 2001 speech reminds us that Pakistan acquiesced to U.S.
6 demands not because of an inherent strategic alignment but rather to
7 counter any Indian advantages. He explained to the Pakistani public that
8

9 They want to isolate us, get us declared a terrorist state ... In this situ-
10 ation if we make the wrong decisions it can be very bad for us. Our
11 critical concerns are our sovereignty, second our economy, third our
12 strategic assets (nuclear and missiles), and fourth our Kashmir cause.
13 All four will be harmed if we make the wrong decision. When we make
14 these decisions they must be according to Islam.²
15

16 While the United States greeted this speech as a sign that Pakistan would
17 actively cooperate, a close reading of the speech reveals a tone of resigna-
18 tion. The ultimate aim of the speech was not to reverse decades of danger-
19 ous Islamist politics (including supporting militancy) but to convince
20 Pakistanis that Pakistan must act to counter Indian advantages in a post-
21 9/11 global order.

22 It is important to acknowledge that Pakistan offered unprecedented
23 assistance to the United States, including port and airfield access, ground
24 lines of communication, and air space. Without Pakistan's support, the
25 U.S. ability to launch Operating Enduring Freedom on October 7th, 2001
26 would have been in question.³ Moreover, Pakistan assisted in the capture
27 of numerous high-value al Qaeda operatives. Notably, however, Pakistan
28 did not remand high-level Taliban to the United States. Quite the contrary:
29 From at least 2004 onward, Pakistan resumed its support for the
30 Taliban. Indeed, this support was likely an important factor in the Tali-
31 ban's resurgence in 2005, the consequences of which the United States, as
32 well as its Afghan and other partners, continue to suffer.

33 Since 2004, Pakistan has also undertaken a selective set of operations
34 against Pakistani Islamist militants. Many of these militant commanders
35 organized under the rubric of the Pakistani Taliban (Tehrik-i-Taliban
36 Pakistan) in 2007. While Pakistan has lost many citizens and members of
37 the armed forces in this conflict, it is too often forgotten that Pakistan's
38 war against its own terrorists and insurgents is selective. It focuses upon
39 those commanders within the Pakistani Taliban who will not cease target-
40 ing Pakistan while considering those (e.g. Maulvi Nazir, Gul Bahadur) who
41 target U.S. forces in Afghanistan to be allies.⁴ While Pakistan's losses are
42 truly tragic, Pakistanis tend to blame the United States for these deaths
43 rather than their government, which has cultivated the militants for
44 decades. While it is true that the U.S.-led war on terror and Pakistan's
45 participation in that effort galvanized the current insurgency, it is also true

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that had Pakistan not cultivated these proxies in the first place the Pakistani Taliban would be far less capable – if it even existed at all.

Thus, howsoever crucial Pakistan’s contributions have been, they have been eclipsed by Pakistan’s contribution to the problem of instability, insurgency and terrorism. Pakistan – despite numerous assurances to the contrary – continues to support groups like Lashkar-i-Tayba (LiT), which has attacked the U.S. and its allies in Afghanistan since 2004 and which perpetrated the November 2008 Mumbai outrage in which several U.S. citizens were also killed. This is in addition to the terrorism campaign that LiT and numerous other groups have sustained in India since 1990 with support from a Pakistani intelligence agency, the Inter-Services Intelligence Directorate (ISI).

The United States has appropriated some \$22 billion in economic and security assistance as well as military reimbursement between FY2002 and FY2011 for Pakistan. (This is divided between \$14 billion in security assistance and military reimbursements and \$7.4 billion in economic assistance).⁵ Admittedly, obligations are not the same as disbursement, and this remains an important bone of contention between the United States and Pakistan. But irrespective of the precise sum in question, the simple fact remains that while Pakistan has benefited from U.S. assistance under the explicit expectation that it help the United States in its struggle against Islamist terrorism in the region, Pakistan has in fact supported the very groups against which the United States is fighting. It is the Taliban and the Haqqani network that are responsible for the majority of U.S. and coalition fatalities in Afghanistan, yet these very groups are suspected of being a “strategic arm of Pakistan’s Inter-Services Intelligence Agency.”⁶ Pakistan is the firefighter, the arsonist and the vendor of a variety of propellants.

From “Af-Pak” to “Pak-Af”?

Since 2005, with the resurgence of the Taliban in Afghanistan, U.S. focus has slowly but surely moved from al Qaeda in Afghanistan to the Taliban, if for no other reason than that al Qaeda has largely moved from Afghanistan to Pakistan. While the United States in late 2005 finally acknowledged that Pakistan was indeed supporting the Afghan Taliban, it did not pressure Pakistan to act against the Taliban because it remained focused on al Qaeda. As the U.S. concentrated more on the Taliban, it became increasingly insistent that Pakistan do more to disable that group. However, in the same period, Pakistan redoubled its commitment to the Afghan Taliban while sustaining its long-term commitment to the Haqqani Network.

It should be forthrightly conceded that from Pakistan’s point of view the developments in the region were deeply injurious to Pakistan’s security interests. India, under the U.S. security umbrella and with U.S. approval

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1 and encouragement, had re-ensconced itself in Afghanistan. The U.S. strategic
2 partnership with India signaled to Pakistan that America's long-term
3 partner in the region was India. Implicit in Washington's pursuit of New
4 Delhi as a partner is the recognition of India as the regional hegemon and
5 a growing extra-regional power of some consequence. The United States
6 has simply failed to grasp that Pakistan will not, in any policy-relevant
7 future, accept Indian hegemony. To do so would be to concede defeat for
8 Pakistan's expanding revisionist goals, which first focused upon changing
9 the territorial status quo over Kashmir and which increasingly involve
10 undermining India's expansion in the region.

11 In the face of the emerging recognition that Pakistan and the United
12 States have divergent – if not actually conflicting – interests, the United
13 States deepened its military posture in Afghanistan. Proponents of Counterinsurgency (COIN) argued for a larger footprint and eventually prevailed upon the Obama administration to surge U.S. troops in Afghanistan. Opponents of this approach (such as this author) were doubtful that U.S. COIN efforts in Afghanistan could ever fructify given the limited numbers of combat troops available, the niggard contribution of combat troops of our allies and their less than robust capabilities, a broken U.S. aid agency, a surprisingly shallow understanding of the region, persistent lack of language skills, and an Afghan partner that seemed more vested in securing its own corrupt patronage networks than in providing any semblance of governance that could displace the Taliban and allied network of militant commanders.⁷

25 While progress in Afghanistan – or lack thereof – remains subject to
26 debate, what is quite clear is that the United States has put itself in a very
27 precarious situation. In expanding its military commitment in Afghanistan,
28 it deepened its dependence upon Pakistan during a period when Pakistani
29 and U.S. interests were rapidly diverging. Thus U.S. officials struggle to
30 explain to U.S. taxpayers why it is that the United States continues to
31 see Pakistan as an ally even while the United States is largely at war
32 with Pakistan's proxies in Afghanistan. How strange is it that the
33 United States has leveraged itself to Pakistan for access to ground and air
34 lines of communication to fight a counterinsurgency effort in Afghanistan,
35 when the very insurgents are supported by Pakistan and it is Pakistan that
36 is most likely to determine the outcome of that fight, likely in a way that
37 is injurious to U.S. interests and investments?

38 The United States needs to work quickly to re-optimize its position in
39 Afghanistan. While the United States remains dependent upon Pakistan, it
40 has virtually no political will to compel Pakistan to cease support for the
41 Taliban and the Haqqani network, much less groups like LiT. The year
42 2014 offers the United States an important opportunity to shift away from
43 counterproductive counterinsurgency operations in Afghanistan and
44 move towards a more sustainable relationship with both Afghanistan and
45 Pakistan.

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In the shadow of 2014: near-term engagement with Pakistan?

In the near term, the United States will remain poised on the knife's edge of logistical dependence upon Pakistan. The U.S. should not mistake a logistical transaction for a strategic relationship. Pakistan has consistently demonstrated that it does not want a strategic relationship with the United States; rather it has sought to maximize economic, political and military gains while minimizing its commitment to the United States. The United States should adopt a more pragmatic tone about the nature of this relationship. Pakistan is essentially renting out its air and ground lines of communication, and the two countries should settle upon a price for what is mainly a business transaction. Similarly, the United States needs continued access to Pakistani territory to sustain the drone campaign. Pakistan cooperates in both of these activities because it has benefited from doing so. If Pakistan wants a strategic relationship or a relationship that is more expansive than a transactional relationship, the onus should be on Pakistan to propose such an engagement.

This does not mean that the United States should disengage. However, while the U.S. repositions itself in Afghanistan, U.S. goals for engaging Pakistan should be modest. To date, large-scale aid projects have simply failed to deliver due to the deep deficiencies in USAID's current business model, a past over-reliance upon institutional contractors, an inability to identify credible and appropriate Pakistani NGOs as U.S. partners, a paucity of genuine reform-minded Pakistani governmental partners, and a security posture that prevents U.S. personnel from leaving their enclaves. Added to this list of debilitating challenges, the Pakistan government has recently placed absurd restrictions upon U.S. diplomatic officials after the Raymond Davis affair and the unilateral U.S. raid that resulted in the demise of Osama bin Laden. (The United States government has not placed reciprocal restrictions upon Pakistani diplomats.) No amount of U.S. assistance to Pakistan can attenuate deep-seated anti-U.S. antipathy, and indeed the instrumentalization of U.S. aid only fosters Pakistani cynicism that the United States attempts to help Pakistan only when its own aims are being served.

United States assistance to Pakistan should focus on tangibles such as power and infrastructure rather than areas such as education, curriculum reform and social issues that are deeply inflammatory. The United States should quickly move to a less ambitious aid program that is demand-driven rather than supply-driven. If the United States wants to invest in human development, it should consider doing so through multilateral development agencies, which are more capable of delivering results.

The next ten years of U.S.–Pakistan relations?

Over the coming decade, there are few prospects for a major rapprochement between the United States and Pakistan, particularly if that

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1 rapprochement requires either that Pakistan abandon its militant proxies
2 and aggressive regional revisionism or that the United States alter its rela-
3 tionship with India.

4 Equally disconcerting is the likely reality that, as India continues its rise,
5 Pakistan's reliance upon Islamist militancy, the only tool that it has to
6 change India's trajectory, will increase, not decrease. The fact that Paki-
7 stan is suffering grievously as a result of this policy does not diminish the
8 confidence of the ISI and the army that they can continue to manage their
9 fissiparous former and current proxies. Increased destabilization in Paki-
10 stan as well as increasing accounts of militant infiltration of the armed
11 forces raise a number of disconcerting questions about Pakistan's
12 command and control of its nuclear assets as well as more quotidian con-
13 cerns about the possibility of a Pakistan-based terrorist group conducting
14 a mass-casualty operation in India that sparks a conventional war. The
15 United States should expect that whatever political order is created in
16 Afghanistan to enable the United States to wrap up large-scale counterin-
17 surgency efforts, Pakistan will expeditiously seek to undermine it – unless
18 that order was what Pakistan wanted in the first place. Pakistan has a
19 greater willingness to bear the costs needed to shape Afghanistan accord-
20 ing to its strategic needs than does the United States.

21 Worse, the increasing propensity of small numbers of Muslims in
22 Europe and North America to radicalize and undertake training in Paki-
23 stan (and increasingly in Yemen and Somalia) threatens to bring Pakistan
24 into a serious collision course with the United States and the international
25 community.

26 The realization that Osama bin Laden had been ensconced for years in
27 Abbottabad was profoundly vexing for U.S. officials who have to answer
28 for U.S. budgetary decisions in a crushing financial crisis. Pakistan's inor-
29 dinate interest in capturing those who collaborated with the United States
30 rather than understanding how bin Laden enjoyed such sanctuary has
31 only exasperated U.S. patience with Pakistan. Admittedly, the unilateral
32 U.S. raid deeply humiliated Pakistan's military. As the Pakistani military
33 has maintained control over Pakistan based upon its self-proclaimed
34 unique ability to protect Pakistan, this was another blow to an institution
35 that has sustained many challenges over the last ten years.

36 The ongoing outrage over Pakistan's duplicity, coupled with the global
37 economic crisis, has prompted many U.S. lawmakers to propose ceasing
38 all support to Pakistan or stringently conditioning all aid to Pakistan upon
39 its cooperation in combating terrorism and nuclear proliferation.

40 While these impulses are understandable, they must be resisted. Paki-
41 stan right now is extremely vulnerable and combative. Its decisions are
42 deeply troubling, whether we consider its expanded interference in
43 Afghanistan or its rejection of International Monetary Fund assistance. It
44 is imperative that Pakistan not become North Korea: a rogue regime that
45 is disengaged from most of the international community.

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1 However, this does not mean that the United States should continue its
 2 decade-long policy of seeking to induce Pakistan’s cooperation with large-
 3 scale economic and military assistance. What the last ten years have dem-
 4 onstrated is that these incentives have had no effect on Pakistan’s
 5 fundamental strategic calculus. Given that political allurements (e.g. a
 6 conditions-based nuclear deal, active U.S. efforts to resolve disputes with
 7 India, ensuring an explicitly pro-Pakistan regime in Afghanistan, etc.) are
 8 politically poisonous in the United States given Pakistan’s problematic
 9 record, Washington has no choice but to acknowledge that U.S. and Paki-
 10 stani interests and allies are fundamentally incompatible while also under-
 11 standing the essential need to stay engaged in spite of this fact.

12 Pakistan, for its part, is tired of participating in a war effort with the
 13 United States – albeit on highly selective terms – that is fomenting
 14 increased domestic tension, while the United States seems deaf or indiffer-
 15 ent to its security concerns. These concerns center on India’s defense
 16 modernization and the U.S. role in facilitating it; the impact of the U.S.–
 17 India civilian nuclear deal on Pakistan’s own nuclear program; the nature
 18 of India’s presence in Afghanistan (particularly given Pakistani beliefs that
 19 India is supporting subversive elements in Pakistan from Afghanistan) and
 20 other related issues.

21 I propose a somewhat radical way of reframing our relations with Paki-
 22 stan. In 2009, I argued that if U.S. efforts to persuade Pakistan to abandon
 23 its strategic use of militants and other policies deleterious to U.S. interests
 24 and international security failed, then the “United States and its partners
 25 will have to reorient their efforts toward containing or mitigating the
 26 various threats that emanate from Pakistan.”⁸ I believe that the time has
 27 come to adopt this approach and the United States should take advantage
 28 of the drawdown in Afghanistan to make such a strategy possible. There
 29 are several components of this proposed approach.

30 *First*, rather than continuing to frame U.S.–Pakistan relations within the
 31 context of a “strategic dialogue,” the United States should scale back its
 32 pursuit of Pakistan and resist framing the relationship – or lack thereof –
 33 in civilizational terms. The United States appears as if it is an uxorious
 34 suitor while Pakistan’s demurrals only increase the price of engagement.
 35 Pragmatism must replace optimism as the guiding principle. This should
 36 be a gradual process. Pakistan has been accustomed to U.S. efforts to
 37 engage and to use financial incentives to influence Pakistani decision-
 38 making. Any rapid de-escalation could well catalyze an even more precipi-
 39 tous decline in U.S.–Pakistan relations with ever more dangerous
 40 consequences. And this certainly cannot be undertaken given the current
 41 dependence upon Pakistani cooperation with U.S. efforts in Afghanistan.

42 *Second*, rather than seeking to forge a strategic partnership with a
 43 country that does not seek such one, the United States should simply
 44 embrace the fundamental transactional nature of its relations with
 45 Pakistan, but expect Pakistan fully to deliver on each transaction.

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1 *Third*, U.S. efforts to elicit changes in Pakistani society through its
2 USAID program are misguided. First USAID’s efficacy can and should be
3 questioned. The U.S. Congress has had numerous hearings about aid to
4 Pakistan – and Afghanistan – the objective results of these engagements
5 have been less than satisfactory, given the price tag. This does not mean
6 that the United States should not continue to help Pakistan with its prob-
7 lems. However, it should do so with less publicity and with greater focus
8 on projects that are executable such as power, roads and other infrastruc-
9 ture. No doubt such efforts will suffer from corruption. However, the
10 United States at least has the ability to ensure that minimal quality stand-
11 ards are in force for these projects. And, as noted above for the short term,
12 in the future the United States should rely more upon the United Nations
13 Development Program (UNDP) and similar multilateral platforms.

14 *Fourth*, the United States should still seek to develop democratic and
15 civilian institutions when there is a clear demand from a Pakistani partner.
16 This partner should have an executable plan, with metrics to monitor
17 success in outcomes, and this Pakistani partner must have their own finan-
18 cial resources invested in the project. There is no hope for Pakistan to
19 become a stable country that does not negatively affect the security of the
20 region without greater civilian control of the military. But the United
21 States cannot force such changes. That said, the United States has for too
22 long encouraged the army’s praetorianism. The conditions on security
23 assistance that were enshrined in the Kerry–Lugar–Berman legislation
24 were a good start. Unfortunately, the language of the bill offers Pakistan
25 and the United States many loopholes even if the conditions are not met,
26 as evidenced by Secretary of State Clinton’s March 2011 certification that
27 Pakistan was fulfilling its obligations to help fight terrorism among other
28 issues. This certification was issued even while the United States was plan-
29 ning the bin Laden raid. It would have been better for the administration
30 to have sought a waiver, which would have signaled to the Pakistanis that
31 U.S. national security interests would prevail – for the time being.

32 *Fifth*, the United States should engage Pakistan’s military as it does with
33 any other military. The International Military Education Training (IMET)
34 program is important. Where possible, it should be expanded. However
35 engaging Pakistan’s military does not mean the provision of strategic
36 weapon systems or other weapon systems that are more suitable for fight-
37 ing its revisionist conflict with India than domestic terrorism and insur-
38 gency. This also means treating the Pakistan military like a military. There
39 is no reason why the US Secretary of State should meet with the Chief of
40 Army Staff routinely, much less the head of the ISI. The United States
41 should follow its diplomatic protocol. While the desire to go to the source
42 of power is understandable, there is no reason to believe that engaging
43 the army chief directly produces better cooperation or even that the army
44 chief or ISI chief are honest interlocutors in the first place. The United
45 States needs to attenuate its khaki addiction. Most importantly, the goal of

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engaging this army and other armed forces should be observation rather than transformation. Because the army will dominate security policy on things about which the United States cares deeply, it must continue to engage the army, but on a sustainable scale.

Sixth, the United States also needs to continue working with Pakistan’s intelligence and law enforcement agencies on issues of importance to both, such as international crime and terrorism, regional developments of mutual concern, tackling Pakistan’s domestic terrorism, cooperative anti-narcotics efforts, fortifying physical security of important institutions and infrastructure against terrorist attacks, and so forth. But these should not be the public corner stone of our relationship. They should remain quiet and out of the public eye.

Seventh, the United States must take advantage of its growing independence from Pakistan to erect increasingly robust containment initiatives that directly pertain to support for terrorism, nuclear proliferation, and murderous abuse of human rights (as we have seen in Baluchistan and elsewhere). The United States has considerable tools at its disposal to do so and can certainly innovate new ones where current legislation is inadequate:

- The Leahy Amendment was crafted precisely to punish security forces that engage in human rights excesses, while having the ultimate aim of rehabilitation rather than permanent isolation. U.S. unwillingness to apply this law has contributed to the sense of impunity that pervades Pakistan’s military, police and intelligence agencies. Regrettably, the U.S. record of respecting rule of law and human rights in Pakistan is not unblemished. The United States has directly benefited from Pakistan’s policies of detainment without charge and of “enforced disappearances.” The “disappeared” Pakistanis remain a source of outrage in Pakistan, as there is no way of locating these persons and accounting for their whereabouts. Unless the United States is prepared to lead by example, it should have little expectation that Pakistan will do better on its own.⁹
- The United States should consider sanctioning or designating specific persons within Pakistan’s government when there is credible evidence that the individual is supporting terrorism or nuclear proliferation. The U.S. Congress could consider visa restrictions on such persons and their families.
- The United States should not certify that Pakistan is in compliance with U.S. laws when it is not (e.g. Secretary Clinton’s March 2009 certification that Pakistan was complying with Kerry–Lugar–Berman requirements). If engaging Pakistan despite these failures is critical, a waiver should be sought as a potent signal that Pakistan is not fulfilling its obligations and that future assistance is contingent upon U.S. needs rather than on some idea that Pakistan is carrying out its side of

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1 the bargain faithfully. Issuing dubious certifications also confuses Paki-
2 stanis about what their government is or is not doing and makes it
3 hard for the United States to explain the eventual cessation of assist-
4 ance that could arise from Pakistan’s failure to perform per the terms
5 of reference in the assistance.

- 6 • The United States should move aggressively to counter Pakistan’s
7 militant networks outside of Pakistan. I recognize that operating
8 against Lashkar-i-Tayba’s headquarters in the Punjab and elsewhere
9 will be nearly impossible and subject to the limits of tradecraft. Similar
10 concerns exist for operating against the Afghan Taliban in Quetta,
11 Karachi and other cities. However, nearly every one of these groups
12 has an extensive network in the Gulf, the rest of South Asia, South
13 East Asia, Europe and North America. There is no reason why the
14 United States should not be more aggressively targeting these nodes
15 of activity, be it through monitoring financial transactions, identifying
16 individuals facilitating the groups and working with host-nations to
17 conduct police and other raids upon these organizations and their
18 facilitators.
- 19 • Where possible the United States needs to expend diplomatic effort to
20 ensure that as many of Pakistan’s partners as possible adopt a common
21 approach. China will be an obvious problem. However, even China
22 ultimately voted at the UNSC to designate Jama’at-ud-Da’wa (LiT’s
23 new operational name) a terrorist organization in 2009, though it had
24 declined to do so a year before.

Conclusions

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28 In short, the United States must engage where it can, with clear thinking
29 about the nature of the U.S.–Pakistan relationship and an honest assess-
30 ment of whether the terrorists Pakistan is helping the United States to
31 eliminate are more important than the terrorists they continue to nurture.
32 The United States should try to invest in positive social change when there
33 is an opportunity to do so and a vested partner to work with. This engage-
34 ment must be focused, transactional and have the near-term goal of moni-
35 toring the army and the intelligence agency, not transforming these
36 institutions over any policy-relevant time scale. This is simply beyond the
37 capabilities of the United States.

38 Such an approach is more sustainable, financially and politically, given
39 the beleaguered state of the U.S. and Pakistani publics, who are exhausted
40 with the other’s ostensible perfidy. Finding such a sustainable and func-
41 tional relationship rather than an inflated, expensive program that fails to
42 meet the most fundamental objectives may be the best way to stay engaged
43 in Pakistan over the long haul. The stakes are high. The United States
44 cannot afford to walk away even if it can’t afford to stay engaged as it has
45 been.

Proof





Notes

- 1 Ashley J. Tellis, "South Asia: U.S. Policy Choices," in: *Taking Charge: A Bipartisan Report to the President-Elect on Foreign Policy and National Security-Discussion Papers*, eds. Frank Carlucci, Robert E. Hunter, and Zalmay Khalilzad (Santa Monica, CA: RAND, 2001): p. 88; also see Ashley J. Tellis, "The Merits of De-hyphenation: Explaining U.S. Success in Engaging India and Pakistan," *The Washington Quarterly*, Vol. 31, no. 4 (Autumn 2008), pp. 21–42. See my critique of this in the context of the last decade in C. Christine Fair, "Under the Shrinking U.S. Security Umbrella: India's End Game in Afghanistan?" *The Washington Quarterly*, Vol. 34, No. 2 (Spring 2011), pp. 187–9.
- 2 President Pervez Musharraf, "President Address to the Nation," [sic] September 19, 2000, at <http://presidentmusharraf.wordpress.com/2006/07/13/address-19-september-2001> [accessed 000].
- 3 For a detailed inventory of Pakistan's extensive assistance, see C. Christine Fair, *The Counterterror Coalitions: Cooperation with Pakistan and India* (Santa Monica: RAND, 2004).
- 4 Seth G. Jones and C. Christine Fair, *Counterinsurgency in Pakistan* (Santa Monica: RAND, 2010).
- 5 K. Alan Kronstadt, "Pakistan-U.S. Relations: A Summary," CRS Report R41832, October 20, 2011.
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- 7 For a useful debate on these two positions, see Gilles Dorronsoro, *Fixing a Failed Strategy in Afghanistan* (Washington D.C.: Carnegie Endowment for International Peace, November 2009) and Ashley J. Tellis, *Reconciling With the Taliban?: Toward an Alternative Grand Strategy in Afghanistan* (Washington D.C.: Carnegie Endowment for International Peace, April, 2009).
- 8 C. Christine Fair, "Time for Sober Realism: US–Pakistan Relations," *The Washington Quarterly*, Vol. 32, No. 2 (April 2009), pp. 166–7.
- 9 Human Rights Watch, "We Can Torture, Kill, or Keep You for Years" – *Enforced Disappearances by Pakistan Security Forces in Balochistan*, New York, 2011, at www.hrw.org/sites/default/files/reports/pakistan0711WebInside.pdf [accessed 000].

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