

COUNTERTERRORISM

A New Way of Engaging Pakistan

By C. Christine Fair Monday, April 11, 2016, 12:07 PM

Omphalos: Middle East Conflict in Perspective

Since 9/11, the United States has furnished Pakistan with some \$33 billion dollars in economics assistance, foreign military sales, and lucrative “reimbursements” under the coalition support funds (CSF) program. The United States has also provided Pakistan with access to U.S. strategic weapons systems, most notoriously the F-16 fighter aircraft. This multi-dimensional largesse has several motivations:

- First, it was meant to provide Pakistan with positive inducements to facilitate U.S. operations in Afghanistan against the Taliban and to support the U.S. efforts to degrade Islamist militants associated with Al Qaeda and its affiliates.
- Second, (the widely abused) CSF funds were intended to reimburse Pakistan for the marginal costs associated with supporting the United States in its efforts at counterinsurgency and counterterrorism activities in Afghanistan and Pakistan.
- Third, the various aid programs—and most importantly US-support for various IMF programs—were intended to buttress the Pakistani government from financial shocks while it supported the U.S. regional and global efforts to retard Islamist militants’ capabilities. Pakistan is widely viewed as “too dangerous to fail” because of the toxic mix of the terrorist proxies it nurtures under its ever-expanding nuclear umbrella.
- Fourth, the U.S. government has justified the provision of weapons systems under the base canard that they will enable Pakistan to fight the various militants ensconced in Pakistan.
- Finally, these programs were intended to win Pakistanis’ hearts and minds and diminish their support for Islamist terror groups targeting the United States and afford the United States some degree of insight into and influence over Pakistan’s rapid nuclear proliferation and ceaseless raising of terrorist proxies.

At first blush each of these arguments makes sense—until you look at the data. Once you do, you realize that the US’s Pakistan policy is a washed-out approach to managing the country that has not made Pakistan more secure, has not advanced U.S. interests and, in fact, has

encouraged the worst behavior from Pakistan.

It is time to develop coercive means to manage the international menace that is Pakistan.

What do the Facts Say?

If the overall logic of this largesse is to reward Pakistan for its support to U.S. efforts, proponents of this policy have much to answer for. In fact, since 2001, at least 3,515 U.S. and coalition military personnel have been killed in Afghanistan and more than 20,000 US military personnel have been injured. Data on killed and injured U.S. and coalition civilians and defense contractors are nearly impossible to find, although the Department of Labor reports that 1,629 contractors have been killed in Afghanistan since September 2001 and the end of 2015. This in addition to tens of thousands of Afghan civilian and military personnel who have been killed or injured. Professor Neta Crawford at Boston University estimates that, between 2001 and December 2014, some 7,750 members of the Afghan National Army have been killed, as well as about 14,200 members of the Afghan police—in addition to the nearly 17,000 wounded Afghan police and military personnel as of 2014. These deaths and injuries are overwhelmingly not due to al Qaeda: rather, they are from Pakistan's proxies, including the Afghan Taliban, the Haqqani Network, and Lashkar-e-Taiba, among others.

Economic support has not won over Pakistani hearts and minds. A majority of Pakistanis dislike the United States. Pakistan continues to provide overt support to an array of Islamist militant groups which are proscribed by the United States, such as the Haqqani Network, Jaish-e-Mohammad, Lashkar-e-Taiba among numerous others, in addition to the Afghan Taliban. Pakistan has the world's fastest growing nuclear weapons program, inclusive of tactical nuclear weapons. Despite Secretary of State John Kerry's robust defense of Pakistan's efforts against groups such as the Haqqani Network to justify the provision of another round of F-16s to Pakistan, others in the U.S. government robustly counter that Pakistan's actions are far from adequate. Pakistan launched the military farce Zarb-e-Azab in North Waziristan in the summer of 2014 only after the United States hounded it to do so and after U.S. Senator Carl Levin successfully put forward a June 2014 amendment to the 2015 National Defense Authorization Act. Under amended law, the Secretary of Defense cannot waive the certification requirements needed to release \$300 million of the \$900 million Coalition Support Funds to Pakistan, unless he can certify that "Pakistan has undertaken military operations in North Waziristan that have significantly disrupted the safe haven and freedom of movement of the Haqqani network." Moreover, Pakistan gave months of notice to the militants in North Waziristan and even relocated key Haqqani assets

to safehouses before commencing the offensive in the first place. Finally, Pakistan's support for a veritable zoo of Islamist terrorists has deepened, not retrenched, with no end in sight despite the lucrative perquisites lavished upon the Pakistanis by the Americans.

Why does Pakistan do what it does? Simply put: terrorism under its nuclear umbrella is cheap and effective. It has an army that cannot win a war (except against its own civilians) and nuclear weapons it cannot use. Its Islamist terrorist proxies are the most effective tool it has to achieve its interests in Afghanistan and India. Outrageously, Pakistan has never born any cost for its behavior. Taken together, Pakistan has benefited from a simple moral hazard: the United States rewards Pakistan for the very behaviors it seeks to curb and the behaviors its perpetrates are self-rewarding. Pakistan faces no incentive to behave differently.

Ending Pakistan's Impunity and Immunity

The United States needs to cease promulgating the fiction that Pakistan is an ally. What ally takes more than \$33 billion from the United States while continuing to undermine key U.S. national security interests and while killing our men and women in and out of uniform, along with our allies in Afghanistan and elsewhere? The facts suggest that Pakistan behaves more like a strategic competitor or perhaps an enemy of the United States rather than a problematic ally.

The most important reason why the United States has been reticent to “cut Pakistan off” is Pakistan's nuclear weapons and ever-expanding menageries of Islamist terrorists. Together, these “strategic assets” raise the specter of terrorists acquiring nuclear weapons, material, or know-how. But we should dispense with the ruse that our resources have enabled the United States to execute influence over this program. Worse yet, on the U.S. dime, Pakistan has invested in the very assets—nuclear weapons and terrorists—that disquiet Americans the most. In other words, Pakistan is engaging in nuclear blackmail against the United States to ensure that the checks keep coming. There have been recent efforts to offer Pakistan a path towards becoming a “mainstream nuclear power” should it wish to become a responsible nuclear state, but Pakistan has repudiated such offers with gusto. Pakistan's rejecting such a path to normalcy should be a wakeup call to a somnolent Washington that resists new approaches to an old, dangerous problem.

It's time to end Pakistan's impunity. What does a new set of policies look like that could over time dissuade Pakistan from being a source of regional instability? There are three dimensions to this.

First, the United States needs to remove itself from the nuclear coercion loop. Rather than embracing the impossible responsibility of policing the potential proliferators in Pakistan, the United States needs to remand responsibility for securing Pakistan's nuclear materials to the Pakistani state itself. The United States should make it clear that Pakistan will be held responsible should non-state actors acquire its materials. The international community is in a good position to identify a putative Pakistani role because Pakistan's "nuclear signature" is now well known. The United States should also make it clear that should the Pakistani state engage in first use of nuclear weapons on an adversary, that adversary will not be on its own in retaliating against Pakistan. The United States should consider undertaking countermeasures to subvert Pakistan's program, as it did with Iran, and even consider imposing the kinds of sanctions that crippled Iran and brought it to the negotiating table. Pakistan is not, has not, and will not be a responsible nuclear state if left to its own devices. To believe otherwise is the reckless Beltway folly that brought us to current impasse in the first instance.

Second, Washington must cease incentivizing Pakistan to continue producing "good jihadi assets" while fighting "terrorists of the Pakistani state." Unfortunately, Pakistan is engaging in simple asset banking. As long as Pakistan has terrorists to kill, the United States will pay exorbitant amounts to Pakistan to do so. If Pakistan were not a vast swamp of Islamist terrorism, the United States would be less concerned about the place. Instead of continuing to incentivize the security establishment to groom more terrorists, the United States should incentive them to abandon Islamist terrorists as tools of foreign policy.

How does Washington do this? As a preliminary matter, it should cease providing CSF funds. Pakistan should not be paid to do what sovereign states are supposed to do. Washington should also cease supplying Pakistan with strategic weapon systems. Instead, the United States should be willing to provide a narrow set of platforms which have proven utility in counterterror and counter-insurgency operations. None of these platforms should have significant value in fighting India. The United States should also offer Pakistan military training in these areas, as well other areas that fit squarely within the rubric of domestic security: natural disaster relief, for example. The United States should remain willing to provide police training and counterinsurgency training to Pakistan's security forces and other forms of assistance to Pakistan's shambolic justice system should Pakistan permit the United States to so and should the United States be able to provide meaningful assistance to these organizations.

A key part of this change of incentives is that the United States should deliver a very clear statement that it *will* declare Pakistan to be a state sponsor of terror because it is. Such a declaration will impose sweeping and devastating sanctions against Pakistan. To pre-empt such an outcome, the United States should provide a time-line of concrete steps that the

Pakistan must take against the various militant groups it now supports. The first such step is ceasing active support for these groups, constricting their space for operations and recruitment; ultimately, we should demand the elimination of the remnants. Even if Pakistan were willing to do so, this will be long-term project akin to any disarmament, demobilization and reintegration program. Pakistan has trained tens of thousands of militants, if not more. However, there should be no economic support to Pakistan for these efforts as long as it continues to actively raise, nurture, support and deploy so-called jihadis for state goals.

If Pakistan does not play ball, Washington must develop negative inducements and the concomitant political will to use them. What do these look like in addition to declaring the country to be a state sponsor of terrorism? The United States needs to be willing to target specific individuals who are providing material support to terrorist groups and individuals. This means international prosecution, Department of Treasury designation and seizure of accounts, and visa denials. Pakistan's civilian and military personalities enjoy coming to the United States for medical treatment, holidays and for educating their children. These privileges should be sharply curbed for any person found to be supporting terrorist groups. The United States should work with its allies to ensure that its other partners follow suit. If China does not wish to cooperate, that is literally China's problem. The United States should be less concerned about "lost access and influence" than about coercing Pakistan to abandon the most dangerous policies that it currently pursues with American subsidies.

Third, even if it does none of the above, the United States can curb Pakistan's appetite for terrorist misadventures by depriving it of the principle benefit it derives: international attention to its pet cause, Kashmir. Recent administration statements that reiterate support for India and Pakistan to achieve "peaceful resolution of outstanding issues, including Kashmir" reward Pakistan for its malfeasance while treating India as an equal party to the crime. India is, in fact, a victim of Pakistani terrorism.

Not only does this language gratuitously reward Pakistan for its use of terrorism in Kashmir, it is historically ill-informed and dangerously misguided. Despite Pakistan's vocal assertions that it has legitimate claims to Kashmir, the facts bely Pakistan's narrative. First, the Indian Independence Act of 1947 did not allocate Kashmir to Pakistan; rather allowed the princely state to select the dominion of its choice. Second, Pakistan started the first war of Kashmir by dispatching militants who enjoyed various levels of state support in an effort to seize Kashmir by force, despite having signed a standstill agreement which bound it to not undertake a military invasion. As a consequence of Pakistan's invasion, the Maharaja of Kashmir Hari Singh signed an instrument of accession to India in exchange for military assistance. Thus, all of Kashmir, including that portion currently administered by Pakistan and that portion "ceded" to China in 1963, are lawful parts of India. Moreover, India is the

status-quo power on Kashmir notwithstanding some Hindu nationalists' efforts to revivify demands for all of Kashmir under the rubric of "Akhand Bharat," whereas Pakistan is the revisionist state seeking territorial changes through the use of military force (1947-48, 1965, 1999) and through terrorist proxies (1947-present). Not only does Pakistan lack any defensible equities in Kashmir, India has been the victim of Pakistan's reliance upon Islamist militant proxies in Kashmir literally since 1947.

U.S. statements of this type also reveal an astonishing ignorance about the relevant United Nations Security Council Resolutions pertaining to Kashmir. While Pakistan is fond of demanding implementation of the UN Security Council Resolution 47 (1948), it obfuscates what the resolution actually says. It first required Pakistan to "secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purposes of fighting, and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State." When the Pakistani withdrawal has occurred and that the "arrangements for the cessation of the fighting have become effective," India was to begin withdrawing its forces from Jammu to a "minimum strength required for the support of the civil power in the maintenance of law and order." Finally, when India had followed through, India was to ensure that a free and fair plebiscite would be carried out. However, despite Pakistan's adamancy that this resolution be executed, Pakistan only focuses upon the plebiscite, rather than the first step which Pakistan was supposed to undertake as a precondition to the subsequent actions to be undertaken by India. Needless to say, it is India's position that the Simla Agreement of 1972, which formally concluded the 1971 war with Pakistan, obviates UNSCR 47 and other related resolutions. In that Agreement, both India and Pakistan agreed to pursue the "peaceful resolution of all issues through direct bilateral approaches."

When the United States acknowledges Kashmir as a disputed area, it either demonstrates an enormous historical ignorance of the issues or evidences an effort to placate Pakistan at the costs of facts, law and history. Worse yet, it rewards Pakistan for its continued use of terrorism in Kashmir and elsewhere in India.

Consistent with historical facts, the United States should refuse to interject any mention of Kashmir in its various statements with and about Pakistan. Equally, it should abjure making any statements encouraging India to engage with Pakistan on the subject. Pakistan craves such language because it legitimizes Pakistan's contention that it is seeking peace from India, which obstructs its efforts. While it would be preferable if the United States adopted strong language placing the onus on the conflict firmly upon Pakistan, a middle ground may simply be omitting such language altogether. The Pakistanis are very sensitive to such

omissions and will understand the intent that such an omission conveys. Such signaling would also advance U.S. interests in discouraging Pakistani terrorism in some measure by depriving Pakistan of this much sought-after benefit.

Along similar lines, when Pakistan-based terrorist organizations attack India, the United States should abandon its usual practice of encouraging India publicly to observe restraint and offering the usual bromidic calls for the both sides to continue dialogue. Such language imposes a false equivalence on India, the victim, and Pakistan, the victimizer. Most importantly, such language rewards Pakistan for using terrorism, and one of the reasons why Pakistan does so is to continue focusing international attention upon the area and incentivizing the international community to continue identifying Kashmir as “the most dangerous place on earth.” Instead, the United States should consider encouraging Pakistan publicly to take action against the militant groups in question and to cooperate with Indian and international law enforcement agencies to bring the terrorists to justice. This is a far cry from what the United States should do to punish Pakistan for continuing to use Islamist terrorism as a tool of foreign policy, but it may be something that the current or next administration would consider.

The United States inter-agency should have a serious conversation about its official position on the Kashmir “dispute.” I would encourage the inter-agency to officially adopt support for converting the Line of Control into the international boundary. After all, such a conversion requires India to forego its claims on Pakistan-administered Kashmir while allowing Pakistan to retain that which it currently controls without legal sanction.

The Counter Arguments?

There are several counter-argument to what I am proposing here, all of which are flawed. First, there are those who note that the aide cut-off in 1990 failed to prevent Pakistan from testing nuclear weapons in 1998 and even enabled the rise of the Taliban. This is bad history. Pakistan developed a crude nuclear weapon by 1984. Moreover, nothing in the cut-off required the United States to outsource its Afghanistan policies to Pakistan.

Second, Pakistan is not likely to fail. In fact, Pakistan is one of the most stable instabilities. It survived the 1971 war, in which it lost half of its population and nearly half of its terrain. It has survived calamitous natural disasters and it has managed to survive the avarice and mendacity of its own leadership.

Third, there are those who say Pakistan will not continue fighting the terrorists unless the United States pays it to do so. This too is likely wrong. The terrorists Pakistan is killing are Pakistan’s terrorists. Pakistan will continue fighting them for reasons of its own. And it

doesn't fight the people we consider terrorists, except to the extent they are also Pakistan's terrorists. It continues to nurture a raft of militants that the United States views as foes.

Finally, there are those who are risk averse. They would rather maintain the status quo with the full knowledge that the United States is not getting value for its money than risk a new approach. These risk averse persons are seriously mistaken. The current U.S. policy has made Pakistan more dangerous to itself, to its neighbors, and to U.S. interests principally by politically rewarding and bankrolling Pakistan's twinned expansion of its nuclear and jihadi arsenals. It's time this madness stopped. Even if the withdrawal of U.S. resources doesn't change Pakistan's behavior, at least the United States would not be subsidizing the undermining of its own most delicate policies.

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C. Christine Fair · Comandante at Lion taming

I don't usually read comments on my posts as they are predictable: Pakistanis call foul, call me an Indian agent, use gendered invective, and spew the slandered history shoved down their throats which they do not bother to interrogate even minutely; Indians and Americans tend to support my arguments; others don't bother posting.

However, what struck me about several of the below posts is that they essentially are threats of violence and serve to make my point even better than I could. So I wish to thank the violence mongering cretins below.

Note the rant of US-based Abdulhaq Syed · Clare... [See More](#)

Like · Reply · Apr 12, 2016 11:38am



Bajaury Khan · Works at Retired

It is obvious that the author is pro india. However, there are some truths in her article regarding the good and bad terrorists groups. What she clearly overlooks, either she is not smart enough or never occurred to her or intentionally ignored that the 1947 india independence act maliciously by the brits, gave the princely states the right to join india or pakistan. Why would a despot decide which country to join. This clause was clearly meant for the despot of kashmir to give Kashmir to india, even though most kashmiris were Muslim. The brits made a lot of mischief around the world such as Palestine, Kashmir, South Africa to name a few. She did not mention that two other princely states opted to join Pakistan but india annexed them by force. Overall, i would rate her article poorly researched and poorly written. Not worth reading.

Like · Reply ·  29 · Apr 11, 2016 2:47pm



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Hyderabad did NOT ever want to join Pakistan; rather the Nizam wanted to remain independent. By the same token that India seized Hyderabad and Junagard (whose Muslim ruler governed a Hindu majority but wished to accede to Pakistan), Pakistan seized Balochistan. Unlike the princely states with agreements with the Raj, Balochistan had its agreements with Whitehall and was not technically a Princely State. Thus, Balochistan WAS entitled to be independent. But Pakistan seized it by force as well. And if Pakistan could not defend East Pakistan do you think Pakistan could defend Junagard, which was ... See More

Like · Reply · Apr 12, 2016 11:28am



Arslan Rai · Toronto, Ontario

Youre vendetta against pakistan is old miss fair. I suggest you get into something else....it just seems the rantings of an old tired hag that didnt and will not get her way.

Like · Reply ·  19 · Apr 11, 2016 2:45pm

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