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TRANSCRIPT

"PAKISTAN POST-2014: MILITANCY AND HUMAN RIGHTS"

A Conversation With Ali Dayan Hasan and Daniel Markey

Moderator: Christopher Rogers

* * *TRANSCRIBER'S NOTE: Mr. Hasan's accent difficult at times.* * *

ANNOUNCER:

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CHRIS ROGERS:

My name is Chris Rogers. I work here at Open Society Foundations with our regional policy initiative on Afghanistan and Pakistan. R.P.I.-- conducts research and advocacy on conflict-related human rights in both Afghanistan and Pakistan-- from drones to detentions, as well as civilian casualties in military and counterterrorism operations.

This event I think comes at-- a very critical moment and time in Pakistan, as well as in the region-- more broad. Dan and Ali and I had a bit of a back and forth-- earlier this week on-- what exactly should be the subjects of our discussion-- after which I sent them a list of about 100 or so of my top most important questions-- which is to say there is to say there is a lot of ground to cover.

There's the draw down in Afghanistan. Upcoming presidential elections there. Peace talks right now in Pakistan, as well as the prospect of a major military operation in the Taliban stronghold of north Waziristan. The situation is extremely complex and seems to be changing daily. Violence in Pakistan has increased significantly in recent months and the government continues to be accused of serious human rights abuses

connected with the conflict, as well as its own counterterrorism operations.

So with so many issues, I think having two experts such as Ali and Dan can help us wrap our heads around the bigger picture. Where we are in Pakistan, where we're headed, what are the most serious threats to open society and what can be done about it.

So-- with that I'll introduce our panelists. Ali Dayan Hasan is the Pakistan director at the Asian division of Human Rights Watch. He has led HRW's re-- research, reporting and advocacy on Pakistan since 2003. Most recently on sectarian violence and enforced disappearances in Balochistan. Before joining HRW, Ali was senior editor at Pakistan's *Herald Magazine* and recently served as a visiting fellow at Oxford University. Ali is a regular and probably prolific commentator and opinion writer on Pakistan in international and national media.

Daniel Markey is senior fellow for India, Pakistan and South Asia at the Council on Foreign Relations, where he specializes in security and governance issues. From 2003 to 2007 he served at the U.S. State Department advising in south Asia as a member of the secretary's policy planning staff. Before that he taught politics at Princeton University. Dan has published extensively on the region and most recently is the author of the book *No Exit From Pakistan: America's Tortured Relationship With Islamabad.*

Dan and Ali will each give about sort of five to 10 minutes if introductory-- remarks. After that we'll pose some questions on some key issues to have hopefully a bit of a debate and back and forth between them. And then we'll open it up to the audience for questions and further discussion. So with that, again, thank you very much for coming and I will turn it over to Ali for some opening remarks. Thank you.

ALI DAYAN HASAN:

Thank you, Chris. The problem I find with-- with-- any discussion about Pakistan, particularly when it happens in the U.S. and New York and D.C., is that it is a conversation that-- that centers around security-- for the most part. Now, this is of course on one hand understandable-- because-- the Pakistan-United States relationship primarily is a security-driven, security-centered-- relationship.

However-- Pakistan is a-- increasingly complex-- situation and-- and the socie-- the state and-- and society in itself is-- driven by imperatives (CLEARS THROAT) that are greater than just security, including the relationship with the United States, where on the one hand you find that actually it would suit the Pakistani military-- to-- actually to-- to-- to maintain its-- its-- its-- alliance or its-- a compliant relationship with the U.S., unhindered by-- negativity.

But the political compulsions that the military faces, both in-- in its effort to preserve its institutional preponderance within the Pakistani state system, and also for it-- reasons for power play with the U.S., requires it to pursue and encourage-- a public politics that is deeply anti-American.

It is-- quite fascinating what happens as a consequence, because that politics is pursued. There is mobilization around it. Often it is an anti-rights politics. It is things the (UNINTEL) on me. And then the state government, the military itself, finds itself becoming hostage to-- to these public positions that-- are either an attempt to-- to-- to negotiate with the U.S. or to appease and placate public opinion-- that is anti-American, because of course the fact is that Pakistan is a deeply anti-American place.

Now, what is happening in Pakistan itself? What is happening in Pakistan is that the state is in many ways weaker in terms of how it negotiates with its international partners-- the whole process of, on the one hand, democratization, and on the other hand-- the rise of the TTP and-- al Qaeda, Inc., if you will, as-- as-- as adversaries of-- of the Pakistani state, has led to multiple centers of power-- emerging.

And therefore Pakistan does not speak with one voice. There isn't-- there was a great (UNINTEL PHRASE) to-- from-- from an international conversation point of view to General Musharraf's dictatorship. It was where you picked up the phone and you talked to this one person and, we'll, he was, in as far as you can be Pakistan, maximum dictator and he could make things happen. And that is simply no longer the case now. There are-- there are competing power centers that often work at cross purposes.

What-- is happening to Pakistani society itself is that there is a hot-- increasing level of brutalization. And the most vulnerable actors in Pakistani society are-- being targeted with greater and greater ferocity-- by extremist elements-- that were, up to a certain point, allies of the Pakistani military, and, in many ways-- remain still-- associated perhaps with elements within-- the-- the military-- and intelligence establishment, but also attack it at the same time.

So you have these awful records that have-- that have-- that have-- emerged in the last couple of years. The worst attack ever on Christians in Pakistan-- took place-- last year when a church was attacked and some 80 or 90-- worshippers-- were-- were-- were-- killed.

The worst attacks on Shias-- Shia Muslims ever in Pakistan's history have taken place in the last-- couple of years. The Hazara community, which lives largely in Quetta, is about 500,000 people. And to put this in perspective, the Shia are about 20%, roughly, of Pakistan's population. There hasn't been a census in almost 20 years, so these are all approximations. And that can data mean about say 20-odd million people.

The Hazara are 500,000 of those 20 million people. They live in the city of Quetta, which is a provincial gap (UNINTEL) in-- in Balochistan province. And they live really in what-- is effectively the Warsaw ghetto. It is an all in situation. These are people who have been driven into their neighborhoods and the Lashkar-e-Jhangvi, which is an Taliban and al Qaeda affiliate, attacks them with greater and greater impunity within-- those-- enclaves.

This may seem like just-- well, you know, the business of suicide bombings, and

there's-- there's a way-- even an analytical process of dehumanization that occurs where you say or see a suicide bombing, no matter how bad-- it may kill 100 people, as an isolated event. But it's not an isolated event, because when people don't have freedom of movement, when they are ghetto (UNINTEL) in that-- that manner, they can't go to university. They can't go to schools.

They have-- been deprived of-- an opportunity to-- earn livelihoods because they can't go to work. There are increasing levels of unemployment. On my last research trip-- to Quetta I realized that this unemployment and poverty, which was increasing, was exacerbated by the fact that even basic food stuffs almost double in price when-- in the process of making their way into the ghetto. So-- because there is-- there is-- it's dangerous to-- to-- to-- to get them in. And this is-- this is not-- we are not talking about an isolated-- rule or place far away from-- this is the capital of one of Pakistan's provinces where this is happening.

That's what's-- in addition, across the country Shias are being targeted-- by virtue of name. And these are not necessarily politicized people or political actors. These are professionals going about their daily lives. Increasingly also of the state, military-- the paramilitaries are being targeted by these same groups.

So whereas previously there was a easy sort of-- thought or-- you know, persuasive argument. You could say, "Oh, the Pakistani military supports-- militant groups as an instrument of national security policy and actually they're their allies and actually they need to stop supporting them. And if they stop supporting them and turn the attack off-- the ma-- matter would easily be resolved."

And now actually the reality has become considerably more complicated. And-- I think that-- that-- that we should-- (UNINTEL) that perhaps more to say on this and-- and perhaps even disagree with me, because right now as I understand it, there is-- the U.S. imperative is to have the Afghan Taliban on board for a peace agreement and to effect a safe exist out of Afghanistan. In terms of the drawdown.

The Pakistani imperative is to attack and kill the Pakistani Taliban-- because, well, the Pakistani Taliban don't want to be creatures of the Pakistani state. They don't want to be-- allies of the Pakistani state. They want to either take over the Pakistani state or destroy it. And so this is-- a slightly inconvenient, even if you are a pro-Islamist-- interior minister, say in Pakistan. You still want to be interior minister and-- and you will not be that if Willamer is-- the caliph-- who presides over the proceedings, so to say.

And-- and-- and so there is-- and at the moment, for example, when we are looking at these operations in north Waziristan and so on, there is-- there is-- there is a complication and the complication is how do you attack some of these people, and let others be when they are all embedded into one another, and-- and there-- there is very little separation between them.

Within Pakistan itself and Pakistani society, there is a bigger problem and that is that extremism and militancy is not something removed from the Pakistani condition. It is a fault line that runs the length and breadth of Pakistani society. And if you look at

the recent negotiations between the TTP, the Pakistani Taliban, and the state, the TTP have done something very clever. They did not send-- three cave men-- from deepest, darkest Wa-- Waziristan to negotiate with the Pakistani state. They appointed three-- well, actually, I think it should be four, Pakistani party political leaders to negotiate on their behalf, including Imran Khan, who is the leader of the second or third largest party-- in Pakistan.

And basically what they're-- actually, what they did was they-- they mainstreamed themselves in the conversation as a consequence, and they actually showed Pakistani society the mirror by saying, "This is actually your problem. You have an ideological civil war with one another and you don't know as a country and a society where you stand."

And I have rarely sort of-- in-- in-- in s-- my limited understanding of-- of-- and reading of the world, seldom seen a situation where you have people who ostensibly sign up to a state who claim a patriotism, if you will, who claim to be elected representatives, representing a movement that seeks to overstow-- throw the state, that does not recognize your constitution and that has killed 50,000 of your citizens.

It is a remarkable situation and one that bodes ill in the medium-term and the long-term for human rights protections, which are my principle-- concern in life for-- social space, for an open society. And of course it has all the problems, inherent problems, in terms of national security and international security that-- that lie-- therein.

CHRIS ROGERS:

Thanks very much, Ali. Dan.

DANIEL MARKEY:

Great. Thank you. Thanks for the opportunity to-- to be here. Ali said that-- many in Washington are-- inclined to-- place the U.S.-Pakistan relationship in sort of securitized-- form. I may be somewhat guilty of that. I just got off the train from Washington, D.C., so-- don't hold it just against me. It's partially just the city rubbing off on me.

But what-- Chris, when he framed the questions, and he did actually pose about 1,000 questions-- (LAUGHTER) he-- he framed them, though, in three broad categories, and so I'll try to address the categories of questions that he raised. And they were fairly simple. Where-- where are we-- with respect to our relationship with Pakistan, where are we headed-- and what should we do about it?

So where are we? It's 2014. And the-- the dynamic of 2014 is sort of the ending of a chapter. And this is really an Afghanistan story. And in that respect it's securitized, because we've been at war in Afghanistan since shortly after 9/11.

And it's the end-- as all of you are aware-- of the heavy U.S. military presence in Afghanistan and the beginning of this transition-- to what we are not precisely sure. But the-- one thing is fairly clearly to me, is that-- and I think to most Americans, that the end of the Afghanistan war is not shaping up the way anybody would have liked it to. In really any way that we can think.

And now the question is whether things are bad or whether things are going to be really bad, and what role we can play-- in helping them to be less bad. That is to-- retain a degree of stability and security within Afghanistan so that it doesn't-- bring more trouble to Afghanistan itself, to the region, including Pakistan but not limited to it, and to the wider world by way of international terrorism-- and other problems.

And I'm afraid that the current-- the latest round of this debate really centers on the question of the Obama administration's debate over how many troops to leave behind-- inside of Afghanistan. And whether we are seriously contemplating what is now being called the zero option, which is to leave no troops behind. And what that would mean for Afghanistan.

And-- I'm fairly concerned about what that would mean. And I think I'm in good company on that, because as far as I can tell, no one in the region, that is the vast majority of Afghans, as far as I can tell, by way of their political leaders, other than President Karzai-- the other neighbors to Afghanistan, including Pakistan-- but beyond Pakistan, including India, Russia, China-- probably even Iran-- would all prefer that we not leave precipitously and that we not leave-- sort of on the next plane out, but that we leave behind a degree of force, if only to try to shore up Afghanistan's own institutions, including its security institutions, over a period of time.

And the fact that the zero option is still very much on the table I think reflects-- a frustration, certainly, within the White House with the Karzai and with Karzai himself. It also reflects a frustration-- and an aggravation and an exhaustion with the broader war in Afghanistan, with-- that-- which I think is acutely felt, and rightly so, by many others-- in the United States.

And it reflects-- though I think in the end a sense that either-- the bluff, if it is a bluff, is not a costly one, that it can be rolled back-- or that, quite seriously, they are willing-- that is the White House is willing to pull our forces if they don't get this deal on a bilateral security agreement, which strikes me as a rather artificial-- sit-- situation, given that the primary obstacle to the bilateral security agreement is one individual. That is President Karzai. And-- who will be leaving office, likely-- by sometime in May. April/May.

So-- so I'm quite concerned about the way that this-- this is shaping up and where we are. And what it means for our relationship with Pakistan. And in particular-- Ali talked about the connections between the Afghanistan Taliban and the Pakistani Taliban. I'm worried that (CLEARS THROAT) as we think about this end game in Afghanistan we are also falling into a trap which may-- not only-- destabilize Afghanistan, but destabilize Pakistan as well.

Over the long run-- and this relates to this trying-- this attempt to try to make a distinction between, say, good Taliban and bad Taliban, Afghanistan Taliban or Pakistani Taliban. This is not to say that they are all the same. They're not. There are distinctions and differences within them.

But far too many of them are committed to a view of what a future Afghanistan or Pakistan should look like that would be profoundly troubling to us, and then, of course, to the human rights and-- style of life that would be true inside both Pakistan and Afghanistan, both over the long-term.

So I'm worried about this second piece of Chris' questions, the trajectory that we may be on. And I'm worried that the poison from our experience in Afghanistan may-- continue to affect-- our relationship with Pakistan for the longer term future.

You know, sitting in Washington it's really hard to find anyone who is not-- if not passionately angry about Pakistan, at least very troubled by the strategy and approach to the Afghan war that Pakistan has pursued over the past decade. The sense that Pakistan has-- supported-- U.S. adversaries, enemies-- and the sense that Pakistan has been in many ways sort of-- playing, we say often, a double game throughout this conflict. This is felt very acutely.

And it's gonna continue to be a problem. This is one thing that I'm worried about. It's gonna be a problem because most Americans who are familiar with Afghanistan and Pakistan now over the pa-- from the past decade of experience, see Pakistan primarily through the lens of the war in Afghanistan.

Not least because hundreds of thousands of Americans have served inside, either, you know, in uniform or as civilians, inside of Afghanistan, and have perceived-- either rightly or wrongly but have perceived Pakistan's-- behavior as being unhelpful to their cause.

And so there's a poison there. And this is quite different. I mean if we think historically this is quite different from the view of Pakistan that many Americans held decades ago. That Pakistan was our ally in the Cold War. Pakistan had a lot of-- political support in the halls of Congress, with-- throughout the U.S. government, and especially within the U.S. military. And that has changed very dramatically-- over this past decade. Almost night and day. And that will have a long lasting consequence for us.

It isn't, though, just the war in Afghanistan that's the problem. And this gets to some of the-- the deeper, underlying problems in Pakistani society that Ali was talking about. That is if we were to walk away from Afghanistan tomorrow, and if somehow Afghanistan were not to cause us future trouble, Pakistan itself would still have connections with organizations that are deeply troubling, and should be deeply troubling, to the United States.

And here in particular Ali was talking about sectarian organizations, especially-- Lashkar-e-Jhangvi, Sipasaba (PH)-- and so on. But you might go further to-- Lashkar-e-Taiba-- an organization that has both-- a violent-- and extreme ideology-- with consequences for Pakistan internally, but also for the wider region, and especially for

India.

And these are the kinds of-- and their links with Pakistan's state are the kinds of things that will trouble the U.S.-Pakistan relationship, likely for years to come. Really no matter what happens in Afghanistan. So that's-- a quick way of saying that I'm concerned about the traje-- trajectory that we are on, that we the United States are on, with Pakistan.

Now, there are some potential areas for hope or-- if not optimism. We have seen a new national security strategy coming out-- an internal security strategy coming out from Islamabad of late. Efforts at-- political-- and economic reforms that I think should be supported-- and in some cases applauded by the United States and by others in the international community.

If the Nawaz Sharif government, and Islamabad more broadly, can see through to actually implementing some of these efforts that it's articulated, then these would be positive steps that are worthy of some support. But as I said, there's a deeper underlying poison in the U.S.-Pakistan relationship that has-- that will affect our ability to be supportive in these areas.

So what are my-- my-- my answer to the last piece. Recommendations. How-- what should we do, looking ahead? The first thing I would say is we need to take a broader perspective here. Regionally. The Pakistan relationship over the past decade has, for obvious reasons, been seen through the lens of Afghanistan.

As we draw down from Afghanistan that will still be true, for all the reasons I've laid out. But we need to think about Pakistan in a broader context. Pakistan is a big country, 200 million, possibly to 300 million by mid-century. And it borders countries that we care a great deal about. Even more than we care about Afghanistan. Right? India. China. Bordering the Arabian Sea. Iran. This is a very important part of the world and will continue to be so as Pakistan grows.

And it's a nuclear armed country. That's not changing. That's not going away. So we will have considerable interests in Pakistan's trajectory, whatever happens in Afghanistan. And we can't allow, in some ways, that poisonous-- ex-- experience that we've had over the past decade to determine everything about our future relationship.

So what-- ought we to do? Well, I think in terms of seeing it in that broader context, we need to think about the positive aspects of Pakistan's potential links with other of its neighbors. And especially with India. The solution, if you think about the long-term-- solution to many of Pakistan's ills, will partially come about through Pakistan reforming itself. (RUMBLING) It will not come about-- dramatically or only by way of U.S.-- change or sponsored change. (RUMBLING) The United States cannot fix Pakistan.

But it can help to open Pakistan to its region. And especially to India, particularly through trade and investment. And those kinds of relationships are the sorts of things that I think the United States can facilitate, ought to facilitate, both through public and private means, and will, over time, I think lead to the kinds of changes,

growth in opportunities, improved-- incentives for better education of Pakistan's people. And connections in positive ways to the wider region.

And I will-- try to sell you-- not just my book that Chris mentioned-- which is available, by the way, on Amazon, but-- (LAUGHTER) a free report-- which is free. There are a few copies I think out-- outside-- but also it's available online through-- CFR's-- website.

And it basically sketches out what I think-- should be a wider regional strategy for the U.S. relationship with Pakistan. And one that focuses both on the positive aspects of regional economic integration and also the threats to our longer term interests that would come about if we don't see Pakistan in these terms. So I'll leave it there and look forward to the conversation.

CHRIS ROGERS:

Great. Thank you very much. Both Ali and Dan. I think that puts a lot of different issues and questions on the table. And I think also-- pretty clearly some different perspectives-- to these questions as well. And picking up-- on-- your comments, Dan, about-- the-- the sort of poisonous relationship-- that has developed-- largely because of U.S. engagement in Afghanistan, I guess I-- I would-- ask to you, Ali, what is the view in Pakistan about U.S. withdrawal in Afghanistan? And how is that impacting their sense of security and strategy?

ALI DAYAN HASAN:

Look, the-- the thing is that the-- these are two different things. The poisonous relationship and the-- the views on the withdrawal are two different things. The-- the fact is that the poison cuts both ways. Pakistan is a deeply anti-American country. It has-- a great level almost of hatred for the United States. And that (UNINTEL) public opinion.

There's-- and actually what has happened is that the power centers within Pakistan are-- and they've created a lot of this. They've fermented a lot of this. So it's not that, you know, it-- it-- it-- sort of it's-- indigenously occurring, if you will, but they are hostage to it now.

So what-- right wing political rhetoric in Pakistan is that the U.S. is evil and they want the U.S. out of Afghanistan. That's what Imran Khan says. All problems in the region would end if the U.S. disappeared-- from-- it is not-- whereas the Pakistani national security establishment, both for reasons of relevance-- the economic benefit-- and national security knows perfectly well that there is nothing more harmful to-- to Pakistan than an immediate U.S.-- exit.

And if-- if the U.S.-- has-- follows the zero option, well, guess what? Guess who's gonna be most worried? It's the Pakistani military who's gonna be most worried, because this really doesn't suit them at all. So there is a disconnect between the

politics of it and the security imperatives of it.

And-- and that in a sense is a Pakistani-- contradiction, but-- but Dan said something else that is very interesting, which is about the whole Pakistan in the regional context. And India-- there is a problem with this. And the problem with this is-- that the Pakistani military, right or wrong, whether I would agree with it or not, isn't the principle stakeholder-- within the Pakistani state system.

And the U.S. has been unable to and is, I fear, incapable of, offering the Pakistani military-- or-- or persuading the in-- or India to offer Pakistan-- the bo-- the-- the bare minimum it requires to engage in détente, if you will, with-- with-- with India.

And this is not about trade and this is not about-- I mean because-- it-- what-- what you are having is-- the MFN-- status being blocked by the Pakistani military. There is a total political consensus in Pakistan today that all political parties want trade with India.

But military is not on board-- on this, and keeps blocking it again and again, because-- and many years ago-- we've been saying this for years, it was-- it was, "Oh, the-- you know, the-- peace in Kandahar and the road to peace in Kandahar lies through Kashmir," and-- and-- and-- and so on.

Well-- and I mean-- and I-- I am more sympathetic to the U.S. because I feel that if the-- that given that Pakistan is its-- sort of, you know, client, we have seen the limits of u-- U.S. leverage, even with Pakistan. So, you know-- the-- there is-- you can't blame the U.S. for its lack of capacity to actually-- get India to-- to be seen to be offering Pakistan something.

And I think that this is actually not just about-- it's about optics. The Pakistani military has to have something to sell to itself and its own people. And India is not-- by way of a concession from India. And India is not willing to offer that something-- which could actually even just be symbolic,

We close to this in 2007 under General Musharraf. Whatever else-- my views of him may be, that was the one thing, when he actually (UNINTEL) and abandoned every traditional Pakistani position. And it was a historical opportunity and a moment, and-- and I think that India missed that moment. And now perhaps, as we are on the cusp of a very right-- abusive, unpleasant from our perspective-- government from India, possibly (UNINTEL PHRASE) that government-- but it may have the political wherewithal to offer Pakistan that kind of-- of con-- face saving, if you will. That's actually what it boils down to.

DANIEL MARKEY:

Yeah, 'cause--

CHRIS ROGERS:

Yeah.

DANIEL MARKEY:

--the-- this is-- this is a really interesting piece of the puzzle. It's just one piece, but-- you know, I was in Islamabad earlier this month and I had an opportunity to go to-- a place that was actually very well described by Phil Reeves on an NPR report. A new mall, megamall, in Islamabad where they were showing the move *Waar*. W-A-A-R.

And I got to sneak in to-- to one of the showings a-- little bit late, but-- I was able to-- to watch. And most of it's in English. And it's-- it's a really fascinating window. And I think it bears-- quite well on-- on this point. Window into a kind of a nationalist's take on-- the security challenge that Pakistan is facing.

And what's fascinating about it is the-- kind of the-- the-- drawing together of two disparate threats that the United States would never put together. The threat of the Taliban, or the Pakistani Taliban, and the threat of India. The two of these are drawn together in the movie. Indian agents are basically running Pakistani Taliban to kill-- noble Pakistani-- police officers and-- and agents-- inside of Pakistan. And-- and to sow mayhem-- throughout the country.

Now, from a U.S. perspective this sounds-- relatively absurd, that the Indians would actually favor the Pakistani Taliban so completely opposed to a world view that suits India's purposes. And yet this is relatively widely perceived, both in the Pakistani military establishment and more broadly than that. And movies like this reinforce-- that perspective that India is sort of an implacably hostile foe to Pakistan and will never change.

So there is narrative. And I agree that it's very strong and it's-- it's deeply counterproductive. But it's important also to recognize-- that some of this can change. It's not just-- so the Pakistani military under Musharraf-- did see India in different terms, narrowly different terms, that I think can actually be replicated.

As I understand it-- President Musharraf-- was able to convince his core commanders-- to pursue a limited, and ultimately unsuccessful-- normalization process and a back channel dialogue with their Indians. He was able to convince them to do this on the narrow argument that it would be better to open up-- and sort of to-- to-- to normalize or pacify the relationship in the near term, so that Pakistan could live to fight another day over the long-term. Not peace but normalization is what they were seeking.

And the logic was India's growing rapidly. India is-- growing its military rapidly. Pakistan doesn't stand a chance-- if-- to-- to fight this fight unless we find a way also to tie into that growth-- and economic opportunity. So we need to do this for our own purposes. We will not resolve Kashmir or other outstanding disputes permanently, but we'll find a way to sort of resolve them enough-- to avoid a war in

the near term and keep ourselves strong-- over the long run.

Now, I think that argument still holds sway in certain parts of the Pakistani military. And I've been saying, when people ask about whether there's an opportunity for an Indo-Pakistani rapprochement or a move in that direction, I've been saying, "Wait till about June or July of this year."

You'll have a new Indian government. Could be Modi (PH). Whatever. But it will be in place. It will probably reach the same strategic calculation that every Indian government has reached over the past decade plus, which is there's no military solution to the problem of Pakistan. No lasting military solution. And we need to get back to the table. Even if only for tactical reasons we need to talk to the Pakistanis rather than fight them.

And the Pakistani government by that point may be in a position-- and this will depend on whether Nawaz Sharif can consolidate-- his security position and-- and deals effectively with the immediate threat posed by the Pakistani Taliban, the TTP, the violence in Karachi and some of the other-- major urban centers. And whether he can also-- consolidate his position with respect to the new Army chief. Who is really calling the shots in this relationship, or could they even reach-- sort of a manageable working partnership of sorts.

If the answers to those questions are broadly yes, or close enough to yes, then June, July of this coming year could be an exciting time, an opportunity-- for India and Pakistan to get back to a dialogue. I'm told that they are still talking quietly between them. You know, we're not hearin' a lot about this publicly, but it's still ongoing. And that is-- I think a hopeful sign, Chris.

CHRIS ROGERS:

So I wanna come back to-- this question of, you know, what are the possibilities for change-- and-- and-- I don't know about optimism, but change in-- in direction in the future. But just real quickly, to come back to the-- the-- what seems to be this more immediate question in north Waziristan.

I guess I was wondering-- if you could sort of-- what your predictions are of, you know, what the nature of a prospective military operation in north Waziristan will look like. And-- and perhaps to just play a bit of devil's advocate, it-- it-- it seems that it-- as if both of you are, at least on some levels, supportive of military action in north Waziristan.

And I guess I wonder-- you know, to what end? There was a major military operation-- in south Waziristan, of course, but also in Swapmalican (PH) several years ago. The military is still in those areas. It was accompanied by-- and end up having a legacy of very, very serious human rights abuses by the military and other-- elements of the Pakistani government.

And this would be an operation in Fatah, in a place which-- in which people have no

rights. They don't have the right to vote. They have no legal rights. No access to courts. And-- so I think that's deeply, deeply concerning. So I guess I would just like your reactions to that, as well as your predictions of what that operation would look like.

ALI DAYAN HASAN:

What-- from-- from a rights perspective I think that it's really straightforward. In-- in order to establish any kind of meaningful rights regime you need to have state-- sovereignty state control of the territory. And at the moment it is, you know, jihad central, and-- and-- and-- and everybody is-- is there.

And the state is not-- not in control of-- of the situation. So you could only begin building-- a rights framework when the-- when the state exercises its authority. Now, that requires a military operation and, more importantly, from a Pakistani perspective-- you know, it's-- it's-- it's-- yes, I certainly support-- military action against Taliban, because they are human rights abusers guilty of atrocities that amount to war crimes, over and over and over again. And they need to be held accountable.

And-- and quite apart from, of course, this, as a Pakistani I face an existential threat-- from this sector of actors-- who do not just intend to take over the state that-- that-- that-- that runs my life. They intend to take over my life. And very possibly end it. And-- and-- and-- and this is a problem. You know, it's incon-- inconvenient. (LAUGHTER)

So-- so-- so yeah. I-- I-- I-- yeah, yes. Yes. I think it's-- it need-- it needs to be dealt with. But of course there is a problem and the problem is that it is while we may have-- military operations in the tribal areas or in north Waziristan, the risk is-- and this is where the government's desire to appease comes from.

That because they are spread out all over the country there will be major retaliatory action and terrorism in the Punjab. And the day the Punjab, which is the heartland of Pakistan, becomes, say, like KP has been, then that semblance of a state, of a viable state, of a functioning-- state that-- is so important-- will be seriously eroded further.

And-- and the politics of the Punjab does not allow for-- for-- for that kind of-- of political trauma. They have no experience of it. The stakes are very high, you can imagine (UNINTEL). And, yes-- one of the ways of-- of-- of countering that is to have an influx of prosperity by-- by having trade with India and-- and-- and-- and-- and-- and so on.

But all of this will have to happen at the same time. And unfortunately for everyone in the Pakistani state who, for good reasons or bad, wish-- wish to appease the TTP, the TTP are not in the business of being appeased. So when-- be-- because their idea of peace is that they want territory, i.e. Fatah or north Waziristan. They want their 4,000 people whom they say are under arrest released and handed over to them.

And they want, last I've heard, a billion dollars, if you please, in reparations for their people killed. And-- and so it-- well, they want an army, (CHUCKLE) they-- they want a billion dollars to buy arms with and they want territory. And it's really not going to be fun after they have all of this.

So that piece is untenable. Any version thereof is-- is undeliverable. And therefore it is not just that-- that-- that a military action has to take place. Military action is inevitable. Should it be right suspecting. Should I-- should it not be abusive? Yes, of course.

DANIEL MARKEY:

Yeah, I-- I-- I agree with I think all of those points. I-- I guess I would say we need-- we as outside observers need to be-- thinking about-- what we should in the best case expect from such an operation. And not oversell it-- in our own minds.

At best, this will be a costly but not extraordinarily costly-- effort at disruption. At disruption. Not at-- I don't think that-- I think it would be a bridge too far to anticipate that this would even necessarily lead to-- the beginning of bringing in-- kind of a sustainable writ of the state in parts of these places. In-- in-- in-- sort of a reasonably time-bound way.

In other words, Pakistani army is going to go into these areas. I mean I'm fairly convinced the Pakistani army has decided enough is enough and they will do it. They are waiting for a full green light and a political backing from-- Islamabad-- because they don't want to have their other flank, that is their political flank-- being attacked while they're in the midst of this-- this new military campaign.

So they will go-- to war. And they will punish the few-- who are still remaining-- in these places-- because they have certainly signaled to everyone that it's coming. So if you're still there-- in north Waziristan it means either that you're foolhardy enough that you wanna put up a fight-- or you're not very smart or you're desperate-- and you didn't have somewhere else to go.

If you're a leader, if you're sophisticated, you'll probably have found a way to-- you know, scoot out-- just in time and avoid that first-- operation. Which leads to questions about how sustainable this will be. And-- this relates back to the points I was making about Afghanistan.

If the place that the leaders-- of the TTP scoot out to-- is neighboring Afghanistan, and there's nobody on that side of the border to block them or to deal with them once they're there, then we have a problem that will continue, it will persist, and will return-- to this part of Pakistan, to the Fatah, after-- the military-- initial military operations are over. So sustainability is going to be a critical part of this.

And then the longer term only way to get a sustainable solution is-- as Ali was talking about-- is to bring together the writ of the state through a normal administrative, civilian process which the Fatah has not known-- in its history. So this is more of a

generational project-- than-- you know, sort of a next couple of years or six months.

So if we set our standards at the level of, can this be disruptive enough to-- say, get rid of some of the IED manufacturing-- facilities, to disrupt-- current plans that the TTP may have for other operations, to round up-- the few individuals that they catch-- and incarcerate them for a period of time, if that's where we set the bar then this is both I think a necessary and potentially useful operation.

But to set the bar much higher than that, and to raise the subsequent questions about, you know, what kinds of abuses and so on will take place, well, there will be some. I think we need to be realistic about that. But the tradeoff at this point is probably one that-- you know, Ali is representative of many Pakistanis who are willing to make it.

CHRIS ROGERS:

Just very quickly, I mean picking up on that. I-- you know, if the long-term strategy here has to be extension of the writ of the state-- mainstreaming Fatah, so to speak-- I guess I wonder from your perspectives are there-- I mean 'cause-- you know, look, I mean here at Open Society we're trying to support groups and organizations, particularly within a country like Pakistan, who are pushing for precisely that. Right?

And those are not within the military. They're not within the security establishment necessarily, though they might have to agree with that on some level down the line. But I guess I wonder when you look at civil society and political parties in Pakistan, are there forces there that are trying to push for a more rights-respecting-- strategy in Fatah?

And particularly-- I mean if-- if mainstreaming really is what we mean by that, right? You know, what are the forces domestically in Pakistani civil society, in politics that-- that we can look to to try to support you doing that? And what-- from the U.S. perspective, does it have any leverage to actually help those forces?

DANIEL MARKEY:

Well-- I'll start. I will say-- oddly enough, given how bad the circumstances have gotten in this part of Pakistan-- some of Pakistani military will actually-- would need to be not just permissive but actually an ally-- in these efforts. You've heard-- probably you've heard some of the reports of the Pakistani army's efforts at-- counter-extremism-- and-- getting together some of the young people in Swat, right, to-- try to teach them the error of their ways and so on.

These are very, very tiny efforts. And-- and yet they're basically right-- in terms of what their goals are. And I think that those-- you know, we can't write off the most powerful institution in Pakistan-- that is the army, when it comes to trying to bring about change in places where the army is really the only tool of the state that is functioning.

So it's-- you know, it's a difficult partner, because the army is, on the one hand, doing things that you don't want to see. And on the other hand-- I mean it's a big organization. Parts of it are doing things that you might like to see. So-- encouraging-- that development, certainly not the only thing. And it doesn't qualify as civil society by any stretch. But it's-- it's not-- bad to applaud when you see something-- that they may be doing that's right.

And then there's-- the broader question of-- of Pakistani society. There I think the political parties, all of them, I've been deeply frustrated with and I find them terribly flawed. But they're better than the alternative of seeing the army come back in throughout the country, so they need to be supported at that level.

And the media also deeply frustrating and flawed, but also needs to be supported. And-- and I would say the media is probably in some ways a better angle to-- to pursue. We've seen the media be particularly-- under the gun, almost literally, of late. And-- I think that's something that needs to be called out. Attention drawn to that. And-- and that would be an area where outsiders can have a positive role to play.

ALI DAYAN HASAN:

I mean-- I-- I think we should-- look, I am-- generally I-- I actually agree with what Dan is saying, because the Pakistan military is a very problem in-- in that-- problematic entity, but it is part of every solution that you could think of. There is no solution possible that s-- removes the sightlines of the-- the Pakistan army. It's absolutely essential.

Secondly, the whole business of Fatah I think is be-- in that sense is being overplayed-- because-- as-- as Dan said, like, the people who are foolish or desperate to not remain there are there, and actually there are operations already underway. It is happening.

The issue is not about the-- the-- the Taliban or the extremists in-- in north Waziristan or in Fatah more generally. It is about the-- those in Karachi. In-- in south of the Punjab. In parts of Balochistan. And-- and, like I said, so it's-- it's-- it's spread out.

So, you know, in Waziristan it's relatively easy, actually, if you decide to-- go after-- a place to do it. Also, interestingly, if you work in Swat, you know, the Pakistan army has shown us that it can conduct an operation. The whole phase as we know is very different in Swat, but the Swat operation was conducted, whatever it was, two million people left the valley. They came back in with remarkably few violations of international humanitarian law. Given the scale and scope of what happened.

So, actually, if the military wants to it can transact a fight that is not abusive and brutal. I think Swat's showed us that. Certainly it was not my expectation that it would. Subsequently, of course, when we go-- got to the whole phase we had the whole business of-- of-- of-- you know, (UNINTEL) killings and be-- the beheadings

and-- and-- and so on. But that was a whole-- it wasn't violations in the possible (?) war.

So that's the other thing. But-- and the final piece of this is actually what happens in Afghanistan, because Fazlullah, the TTP head, is actually sitting in Afghanistan. He is not in Pakistan. And one of the problems-- and I was very unsympathetic to this (UNINTEL)-- a few years ago when all the time I understood that there is something to be said for this.

There is-- the Pakistan army will tell you that there is this very high expectation from us, particularly from the U.S., "Oh, you are letting this happen. Oh, you are letting this happen." And they will say, "Well, there are all these troops in Afghanistan. Why can the-- why can't the U.S. go and stop Fazlullah or elements of the Hakanis were there." And the thing is that this is a very difficult terrain. None of this is easy for anybody.

Which is-- and-- and then of course the Pakistan army does what Pakistan does in general, and is very good at, that, "Well, you know, if-- if I can't really, you know, kill you, then you-- you gotta be my friend." (LAUGHTER) It's-- it's-- it's-- it's that sort of-- a lot of these alliances are-- are a function of necessity rather than-- than-- than desire. And of course, a lot of them are just what they are. Which is-- which is a choice.

CHRIS ROGERS:

Thanks very much. I think we'll-- open it up to questions from the audience. So-- if you have a question you can just-- come up to the mic here. Maybe briefly introduce yourself.

SANJAY PATEL:

My name is Sanjay Patel. I work-- at-- in-- public (UNINTEL) here at Open Society. Before I ask my two questions I just wanna commend Ali on your work. I've read your writings. You're a staunch advocate for rights and-- at great personal risk, so I'm really happy that you're here.

So the two questions, one is for both of you, actually. I'm sure it's one of the thousand questions Chris sent you, but it didn't actually get addressed. Which is drone strikes. I was just wondering if you could maybe unpack the implications of that, pros, cons. I think that would be interesting to hear-- your analysis on that.

The question I have for you, Ali, is-- just to build on a question Chris posed and Dan touched on, about the need for identifying conditions, actors within Pakistan in order to advance this kind of non-securitized dialogue in order to combat the securitized frame. Of course, we have a foundation in Pakistan. And I'm just wondering if you could-- since you are in Pakistan, describe-- the things that the foundation's been doing well in this regard and things that could be improved.

MALE VOICE:

Start with drones.

ALI DAYAN HASAN:

Well, (UNINTEL). (LAUGH) Well-- as far as the drones are concerned, look, my position, which is a human rights position, is as follows. Drone strikes, as they occur without oversight or accountability are illegal under international law and really should not be taking place as they take place.

Having said that, from a human rights perspective if you would make a league table of human rights abusers in Pakistan-- areas and incidents and reasons why innocents and civilians die, drone strikes really don't figure in the top 10. It is an issue that is overplayed for reasons of-- for reasons of politics within the domestic debate, and is actually used by-- the right wing in Pakistan to-- to-- to marginalize-- people who are anti-extremism and demonize the U.S. The U.S. is entirely complicit and cooperative in its own demonization-- in-- in this situation. So I-- (UNINTEL) one doesn't already-- what-- what the solution to this is.

But-- so that's the thing. Yeah, they're wrong, but no, they're not the principle problem in Pakistan. And, no, extremism and militancy is not a function of drone strikes. And extremism and militancy will not end-- if drone strikes end. In fact, they haven't taken place for the last-- couple of months now, and-- and that certainly hasn't led to a immediate end to suicide bombings and love has not broken out. (LAUGHTER)

DANIEL MARKEY:

I-- I can pick up-- I-- I think the interesting thing about drones, I mean leaving aside the-- the legal aspect-- I don't-- I don't really come at it from sort of an international law perspective as much as I come at it from a perspective of-- U.S. policy and history.

Which is a very short history-- of the use of drones in Pakistan. It's a decade old. Nek Muhammad was the first victim of a drone strike in 2004. And the history is fascinating because it's the development of a new technology of war alongside of a very uncertain manner of handling that technology, and deep uncertainty about the direction that that technology might go by both the Pakistani government and the United States.

So no one knew in 2004 what drones would look like in 2011 or how frequency they would be used, what the intensity of drone strikes would be-- during the Obama administration. Had they known that-- had they known what this tool might amount to as-- as a terrorist-- killing tool-- they might have-- the Pakistan government might have responded very differently from the outset.

But the reality as I understand it is that the Pakistani government-- has ranged from,

at the outset, not only condoning the use of drones-- that is President Musharraf personally set-- gave a green light to the killing of Nek Muhammad by a U.S. drone in 2004. Not only was that the case, but even then went on to take the next step of taking responsibility for the strike and lying and saying that the Pakistanis had actually killed Nek Muhammad themselves.

Over time-- the messaging from the Pakistani side shifted, largely, as Ali pointed out, in response to a political reality, as they felt it, and as in some ways they manufactured it-- inside of Pakistan that was increasingly anti-drone. And so over time the messaging shifted from-- public messaging shifted from, "We're doing it," to, "Of course we're not doing it. It's the Americans doing it and we want them to stop."

The private messaging, up until relatively recently, remained constant. "Keep doing it. It's okay." Then further that changed because of the acceleration. As I said, the use of the drone tool accelerated rapidly to the point that the message privately started to shift.

And now we're in a position which is quite different from where we started, where I think the public Pakistani message and the private messages are largely the same. "Please stop." And they have stopped. And before they stopped over the past couple of months they also-- were greatly reduced in terms of-- their frequency. Partially because the public and private messaging from Pakistan was the same.

And partially because the Obama administration I think, for an entirely separate set of reasons, believed that their utility-- as a counterterrorism tool-- had sort of petered out. That the number of targets that were out there had been reduced. Now, none of this has anything to do really with international law except for the question of whether as a sovereign entity the Pakistanis had in fact given-- an authority to the U.S. government for much of that period.

I think we've now reached-- to cut to the chase, I think we've now reached-- a position, and I've written about this, where we need a very different deal on drones with the Pakistanis. It's already out in the open in all-- almost every possible way, so authorities from our side, from the U.S. side, ought to be shifting even more out in the open, away from the C.I.A. over to the Pentagon. There used-- there-- there ought to be a mechanism, as there is in other-- theaters of war, for-- compensating victims and for assessing victim claims. This should be a piece of it.

And then, in return-- and these are things the United States can do. In return, the Pakistani side needs to come forward and basically own-- this reality. If it's to persist, because the Pakistanis cannot themselves or will not go after certain international terrorists because the terrain is so difficult, they need to accept that they are working with the United States or permitting the United States to move forward. And that's a politically difficult thing for that Pakistani side to do.

But it's this kind of compromise that would have to happen on both sides-- because I don't think that the-- challenge of international terrorists based in parts of the remote-- remote parts of the Fatah, I don't think that's disappeared. And so I don't think that that's White House is going to be content to sort of walk away from that

problem. So that's the-- that's the political reality on the Pakistani side. The political reality on-- on the Washington side. There is I think a better compromise than where we are now-- but we haven't gotten there yet.

SANJAY PATEL:

Sorry, just to follow up on that real quick, 'cause I know that drones is-- is an issue that a lot of us here at Open Society and other organizations talk about. I mean I-- I guess I wonder, you know, do you think-- I mean especially given your-- your comments, Ali, do you think that it is-- sort of strategically-- wrong, maybe to put it a bit strongly-- for groups like Open Society and Human Rights Watch to focus on this issue?

Particularly coming at it from not the sort of political and security-- perspective that-- that Dan has highlighted and-- and has identified as the real drivers of change, but from an international law and justice perspective. I mean this is something that your own organization, as well as here, we talk about a lot and are investing resources in. So is this-- is this worthwhile?

ALI DAYAN HASAN:

Well, I think-- I think it's actually absolutely essential from an international law and justice perspective-- to bring to-- critique and bring up the issue of drones and engagement, though, because it's a much bigger issue than just Pakistan. Or-- or-- or Yemen. Or-- you know, this is not about countries. That-- that is-- the-- the issue is much bigger.

What I'm saying is that there-- one has to be careful in-- how it is-- what relevance-- it has-- to differentiate between drones as an international justice, international law issue, and drones as they are playing out in a given theatre. And what I am saying to you is the Pakistani-- right wing, Taliban apologists in Pakistan such as Imran Kahn and-- and-- affiliated-- Islamists, have latched onto the drone issue, which they present as a rights abuse, but actually what they are-- perpetuating through it is an anti-rights, very abusive agenda.

And-- and there has to be a very clear understanding of that. So when, for example, an organization like Reprieve goes in and allies itself with-- with Imran Kahn, they are doing themselves no favors because they are actually feeding into a hate agenda rather than a rights agenda.

DANIEL MARKEY:

If I could--

CHRIS ROGERS:

Yeah, please.

DANIEL MARKEY:

--just-- just-- just on that. I would only say-- there is a broader question of international precedent-- when it comes to the use of drones. But in my little world in terms of how do you make arguments to U.S. policy makers about what is-- you know, meaningful and what's likely to change their minds, the international precedent argument hasn't yet-- got the power of the practical utility argument-- or the political consequence argument. That is on the ground political consequence.

Over time, this may-- may be shifting. I mean as-- as Ali is pointing out, I mean the drone issue is not going away. Not only that, it's internationalizing. That is we won't be the on-- only country that has armed drones-- and-- would use them in various ways.

So the-- the question of what kind of precedent we are establishing for the future will start to weigh more heavily, I think, in policy maker minds. It just hasn't been a driver for policy change yet, nor do I think it is likely to be in the next couple of years in the Pakistan case.

CHRIS ROGERS:

Great, thanks. So our next question.

NEIL FILBIN:

Hi. My name is Neil Filbin. I'm now an arts journalist in *Vogue*, but in a prior life I was an (UNINTEL) in secur-- military security analyst. So this is-- I'm gonna (UNINTEL) the prior life question. About Pakistan-- you both touched upon these points, and it is the i-- the issue of what type of nation is Pakistan in terms of what it wants to be.

I for-- I-- I apologize. I forget the name of the governor who was murdered by one of his own-- bodyguards because he questioned-- blasphemy law. And there was a small army of attorneys volunteering to defend him. You know, the-- the issue of-- I mean is that a civil society where-- that-- that's supports-- you know, murdering-- you know, that-- that murder is the correct response to opposing blasphemy law. You know, so that's one question. You know, the nature of what is-- you know, 'cause there are elements of Pakistan who are very modern, very sophisticated and others that are-- you know, one notch away from-- maybe not a notch away from, you know Iranian theocracy. Style of theocracy.

And the other question that you were talking about the-- the issue of the military and-- going in-- going into Waziristan, doing wha-- what-- what-- at some level what needs to be done. And-- and-- and-- so the question there in terms of what type of military-- is the Pakistan military, given a mindset-- of-- of-- of a professional Pakistani military that's been all about preparing to have another war with India.

That's-- you know, that's the whole-- the traditional enemy. You need-- you know, and-- and then that's-- I mean the nuclear weapons were not developed for tribespeople. They were developed to fight India. And-- and no matter what, that's what the Pakistani military has been trained over years to think about.

ALI DAYAN HASAN:

Well, in fact, as-- as-- as if that's the right word, the peace (UNINTEL) the Pakistan army will tell you, the nukes were developed to not fight India rather than to fight India. But-- look, the point is that when any society is, you know-- part progressive, cutting edge, modern, part medieval-- I mean you can say (UNINTEL) about the U.S.

So it's not-- I mean there is a complexity. The-- and-- and yes, the governor murdered. And, yes, there is-- a deep rooted-- like I say, militancy and extremism fault line, bigotry fault line even, that runs through Pakistani society. There is also a great-- culture of tolerance that runs through Pakistani society. And both these things.

Neither of these two things is the issue. The point is that, you know, you can't have a thought police. You can't turn people-- force people to not be bigoted if that's what they wish to be. The issue is of the rate of the state. The issue is of the rule of law. And the issue is that you cannot get away with murder. You may not kill me if you think that I am a heretic. You-- of-- don't invite me to your house. You know?

That's-- I mean that's the-- the difference. And this is-- that's actually the issue. So I don't think that there is-- this is a question of-- reeducation. These are trends in society, they wax and wane. Yeah, certainly the madrasas have created-- an army of gun fodder. There is a certain mindset that prevails.

Those values of-- of-- of bigotry have been mainstreamed. They have been enabled. The state has created laws that actually provide cover for persecution. And these are all things that the state on the-- at this end have to deal with political parties, at their end have to deal with. But then in-- for example, even in the rights movement there is this great-- tendency that we have where we reduce things to, for example, bad laws. And, yeah, bad laws are a problem.

But increasingly my argument when I'm taught-- when I-- when I'm-- when I'm asked, "Oh, what can the Pakistani state do about-- you know, for example, religious persecution." Well, yes, Pakistani state can do the followin things and they can repeal the following laws, reform them and so on.

But there is something that society also has to do. And there is a bigger-- it is also a

social problem. And this is-- it's a process that'll happen over time. You have to create the space for an alternative conversation. The problem in Pakistan is that in recent years that space-- to-- to turn around and say, "Well, I don't think your interpretation of Islam is the right one," has been steadily eroded.

And it is only up to political parties to demand that space back. It is not some-- political parties as the representatives of people-- in negotiation with-- elements of the state that have-- exercise coercive authority-- if-- if-- it-- it-- empowering the police itself to impose-- a rule of law, that's how it works. And-- and-- and I think that there is, you know, sort of a decent into darkness-- that is irreversible. I think that this is all about negotiating space and actually establishing the rule of law.

DANIEL MARKEY:

Yeah. The first piece of the question is just sort of what makes Pakistan tick. How does Pakistan work. And-- and in this book that I've written, I-- I really try to get at that. And-- and this issue of-- multiple Pakistans-- was the only way that I could-- try to address it. And I try to think about it in terms of-- sort of sketching different portraits. Almost like-- a police sketch artist will take-- witness testimony and try to put together a composite. And I talk about four different Pakistans and four different faces.

And-- the first of these I talk about is-- is basket case. I mean is-- you know, state that doesn't work right. A feudally-dominated-- institutionally weak, infrastructurally-- failing-- state that doesn't educate its people and so on. I mean this is one version of Pakistan that has to be dealt with. Has to be accepted as a reality.

But the second face I talk about is a garrison state. That is a society that has been, and-- and continues to be in many ways, dominated by the military as its most powerful institution.

A third face-- we talk about-- kind of a terrorist or jihadi incubator. This-- these underlying networks of extremism, this rising sense of intolerance. This is another reality of Pakistan. And the whole-- country could be described that way, but it wouldn't be enough.

And then a last face, I talk about a youthful idealist. Right? Because Pakistan is a country that's growing very rapidly. You know, could be-- another 85 million people in the next several decades. That's the size of Iran, right? Adding to this country.

And many of these young Pakistanis, you know, aren't interested in revolutionary change, but maybe push that way if they're not educated. If they don't find opportunities. Many of them seek evolutionary change and they're-- they're worth supporting.

And you saw some of that youthful ideal-- idealism and energy in the last-- elections. They came out into the streets. I think they've been disappointed with the candidate-

- Imran Kahn, who-- who-- sort of stole a lot of that energy-- for his own purposes. But I don't think it's the last time. And I hope that the next election we see that again. That kind of energy. So it's only by putting these-- these different portraits together in a composite that I think you begin to see-- that larger reality.

The second point what is-- what type of military is the Pakistani military? It is a military that has been-- kind of-- born and raised with the India threat-- as its defining feature. And yet it is also a military that over the past decade has had deployment after deployment after deployment on Pakistan's western-- front, and has seen suffering up close and personal-- at all levels of its troops and its officers from that fight. And not from the war with India.

And so it has changed. And if you-- you know, if you speak with military officers, so many of them have had to serve on the western side and have had to see that fight up close and personal, that they've started to recognize that maybe India is the permanent threat, but the war on the west is the immediate threat. And that's a shift. That's an important shift.

Now, how they interpret that, whether they (CHUCKLE) connect the two in what I think are profoundly unhelpful ways and-- and counterproductive ways, and whether they still draw-- try to draw distinctions between the good Taliban and the bad Taliban in also what I think are counterproductive ways, that's-- that's a related but separate issue. They have begun to see a different and immediate threat that they need to confront. And I think that they're more or less on the same page-- in that--

(OVERTALK)

ALI DAYAN HASAN:

And why is the U.S. drawing that distinction between the good Taliban and the bad Taliban?

DANIEL MARKEY:

Well, it's a good question. I-- I don't-- I-- I think that it's been a profoundly mixed message. And-- for my own part-- I've been critical of it. I think that we have-- in our efforts to reach out to-- elements within the Afghanistan Taliban we have sent a very confused message to other Afghans, to the Pakistanis and to the wider region.

And-- the outreach-- which I think was-- I know was born-- within the Obama administration out of a motivation to seek a political accommodation, so there's-- there's a reasonable logic to it. But was undertaken in a way that, first of all, hasn't worked as a practical-- reality, and secondly has had these-- only these counterpo-- productive-- other outcomes. So I've been very worried about it. And-- you know, as I suggested in my opening remarks, I'm worried about what we leave behind in Afghanistan and what that will mean for Pakistan.

JENNIFER LEE:

My name is Jennifer Lee (UNINTEL) and I'm an national security and human rights journalist. And I have two questions-- for both of you, but they branch off-- part of each of your respective discussions. So the first question is actually branching off of-- a note that Mr. Hasan made earlier. That Pakistan doesn't speak with one voice. So I was wondering, the first question is-- what voice, in your opinion, do you see the U.S. addressing? And which one should be addressing? So where that disconnect occurs.

And the second question-- is branching off of something that you said-- when you said that this is really an Afghanistan story. So my question-- for you is whether, in your both opinions, if the U.S. didn't so adamantly push the implementation of democracy versus a political system that might have been a little less of a shock or paradigm shift-- to what Afghanistan had when we first went in-- how that would have affected the political train of the Pakistan that we're discussing today?

ALI DAYAN HASAN:

Look, in terms of Pakistan-- what-- what I was describing was multiple centers of power, which the military remains of course the most empowered and-- and-- and relevant. Now, briefly-- this is not-- something that actually the U.S. has much choice over, depending on what business it is transacting it has to address all or the relevant parts of this power equation. Largely because this is a security-centered relationship. U.S. dealings are with the military to military dealings, or they are-- C.I.A.-ISID things. And that's-- that's how they-- are pursued. So that's that.

Secondly, I mean Afghanistan is different because that is a nation building-- exercise that the U.S. found itself-- engaged in. As far as Pakistan is concerned, it is a total misconception that the U.S. has ever plugged or propagated or really been engaged or concerned with democracy-- building or democracy strengthening in Pakistan.

All periods of intensive U.S. engagement with Pakistan have resulted in an expansion of the Pakistani national security state. And-- and-- and-- and U.S. priorities in Pakistan are not about democracy. It may be part of the sort of aspirational rhetoric of the U.S. that it wants democracy in Pakistan and across the world. I'm sure it does.

But that's not what-- what-- what the relationship with Pakistan is or has been about. There are periods and moments in time when-- for reasons of exhaustion or exit-- the U.S. can bring the Pakistani military and Pakistani political classes that are excluded to the table and-- and facilitate a power sharing agreement between them. This was done in 1988. It was done-- again in 2007-08.

And that's pretty much it. There was some attempt-- I think-- I think this time there was slightly more strident rhetoric about it. There was the Kerry-Lugar-- Bill. But it all petered out pretty fast. And-- and-- and-- and that's that. So no, I-- I certainly in terms of Pakistan, democracy is not the issue, it's not part of the U.S. agenda and it's not anywhere, I think, what's really meaningful of the priority (UNINTEL).

DANIEL MARKEY:

I'll take a stab at-- at the first-- or the question addressed to me with respect to-- should we have pursued a different agenda in Afghanistan. Yes, but-- in so many different ways that it's hard to identify exactly where I would put the-- sort of the original sin.

And-- you know, in-- in my work I've-- I've tried to identify where things went wrong, particularly with respect to our dealings with Pakistan. And I would say-- probably-- it came about-- we-- I don't think we had ever a meeting of the minds with the Pakistani state about our agenda in Afghanistan. But we did at the very outset have a-- essentially a very powerful coercive tool that got the Pakistanis marginally on board with our agenda.

And that was true from 2001, September, up until about 2003. At what point-- we very much took our eye off the ball in Afghanistan and moved on to Iraq. And it was in that timeframe, and as a consequence of that, and that clear distraction, and the sense that-- from the Pakistani perspective that we actually weren't doing the kinds of things that we-- they thought we were going to do in Afghanistan if we were serious about stabilizing the place and making it work in some-- longer term sense.

The Pakistanis I think were surprised-- at how sort of-- at our-- our limited capability, our limited attention span, the limited resources we were devoting to this place. I think the Pakistani attitude was, "Oh, they're not serious."

And that led us to a further divergence. Right? That-- that initial convergence was only out of coercion-- and only lasted as long as it was clear that we were serious, or it seemed that we were serious, and that our coercion was in place, the Pakistani government, under Musharraf, was willing to play along. But as that became less and less clear, that divergence-- manifested itself, to the point that we were very clearly on different sides-- in the Afghanistan war over time.

Then on this point that Ali makes about-- the U.S. role in democracy building and Pakistan. This is another thing. You know, I worked at the State Department-- 2003 to 2007. I watched very closely and-- and with great concern about-- a lot of-- our understanding of and preparations for-- sort of the-- the end of the Musharraf regime. And a lot of this question about the sort of promotion of democracy and so on within-- within Pakistan. None of it worked out particularly well.

And it has led-- and this has led me to think, you know, in a deeper historical sense, about some of the roots of anti-American sentiment in Pakistan. And in the book I trace different strands of anti-Americanism, and one of them is a sort of a left liberal Pakistani anti-Americanism, born of the sense that we have been hypocritical in our application of our own constitutional pri-- principles in our dealings with Pakistan.

And I think, you know, this is actually a very small number of people in Pakistan, but they are very well educated. They are very-- articulate. Often in positions of political leadership and influence. And they're natural allies that we would in-- in an ideal world want to cultivate, but we have lost many of them.

And I have dealt with them. I mean I deal with them all the time-- because they're the ones most-- you're most likely to come in contact with. And they're deeply disillusioned-- with the United States. But for reasons completely different from the broader disillusionment with the United States that had more to do with our policies in the '65 war, the '71 war and, you know, a sense of abandonment at the end of the Cold War.

That's a kind of a center-center-right frustration with the United States. This is a center-center-left, liberal frustration with the United States that has a very different motivation to it-- but continues to be powerful-- and important in Pakistan.

CHRIS ROGERS:

Thank you so much. Maybe let's just take these last two-- is there-- yeah. Maybe the last two questions together, maybe, and then we can close out. Thank you very much.

NADIR GABOT:

Hi. My name is Nadir Gabot (PH) and I'm just a young, average Pakistani-- who feels that we are being bullied into accepting this-- whole issue with the drones. And that our sovereign-- sovereignty as a nation is being challenged. At the same time, I have a very favorable view of the American people because I went to school here and I've been working here-- for a couple of years.

So I would like to see that-- this whole-- sovereignty thing and being bullied thing should-- go away from the hearts of the majority of Pakistanis-- especially the young ones. So my-- my question is, like, okay, there are benefits of these drones strikes, but there's a lot of negatives as well.

And as I think Dan mentioned, there's people in the Pakistani ruling class who are giving green signals to this whole drone thing. So why can't we work with the Pakistanis and the Americans together and give some control over the drone strikes to the Pakistani military, because, I think Dan mentioned it, the military can be-- trusted in the sense that it is kind of organized and efficient and it does work. So why can't we, like, work together-- and achieve these targets?

MELISSA LAFIS:

My name's Melissa Lafis (PH) from the Global Center on (UNINTEL) Security. And my question is for Ali. If you can speak to the criminal justice response to extremism, the role that the anti-terrorism courts are playing, how they're perceived in the public and-- and your thoughts on that. Thank you.

ALI DAYAN HASAN:

Very briefly on the drones, you know, I-- I don't understand it there, because if there is anger at the loss of sovereignty and the sovereign authority is complicit in your perceived loss of sovereignty, I don't know how-- what-- what sort of the solution to that is.

But-- in ter-- I mean giving-- I heard General (UNINTEL) said many years ago-- General (UNINTEL) said something far more interesting. He said, "I told the U.S., 'Why won't you let us pretend that it's our drones?'" And I'm sure how realistic he was being, but then he's proven to not be a very realistic person. (LAUGHTER)

(MALE VOICE: UNINTEL)

ALI DAYAN HASAN:

But Dan can per-- perhaps-- speak to that-- better.

DANIEL MARKEY:

Do you wanna take the second one? On the-- on the-- law enforcement?

ALI DAYAN HASAN:

The-- yeah, law enforcement. Look, the entire sort of anti-terrorism legal structure sucks. (LAUGHTER) It's-- the anti-terrorism act is draconian. It is ridiculous. And mostly what is transacted under it is not terrorism. It's-- it's-- I mean basically you can charge just about anybody with anything.

I could-- go back and be charged under the Acts of Terrorism Act for something I may have said here. You can go and do graffiti on the wall and that's terrorism. And-- and now basically if you elope with someone's wife, that's also terrorism. Which is a fun twist to-- (LAUGHTER) infidelity.

But-- but-- but-- and in any case, there is-- so there are all these acts of terrorism courts and agencies. And there are these cases pending for years and years and years. Thousands of cases. The judges themselves-- the courts are poorly funded. The judges themselves are terrified-- of convicting-- extremists, who even from prison-- exercise a lot of authority, including the power of life and death of everybody, including the judge in question who may have the temerity to-- to sentence them. So it doesn't work. There is-- the solution to that in Pakistan always has been to come up with yet more draconian legislation. So now we have this crazy thing called The Protection of Pakistan--

DANIEL MARKEY:

That's-- ordinance.

ALI DAYAN HASAN:

Ordinance-- to the PPO, and there are other amendments to the-- anti-terrorism act. And basically what the Protection of-- Pakistan Ordinance does is that it-- it-- it inverts all the basic principles of justice. You are guilty until you prove yourself innocent. You can be held-- indefinitely without charge. And so on.

And none of it actually deals with terrorism, because actually counterterrorism is transacted under the radar. And it is people-- there are thousands of people in Swat and elsewhere in illegal back hole being held illegally under perpetuately-- in perpetuity. And the way of-- of-- of sort of giving-- be-- giving that legal cover is not to say-- or retrospectively from, you know, antiquity, "We've been holding you legally," which is what the Protection of Pakistan ordinance does.

There-- it-- and-- and this is one of the problems. I mean if you look at Swat and those places, one of treasons why you had this rise of the TTP was because there was a legal-- vacuum and a justice vacuum and a conflict resolution-- the absence of a conflict resolution mechanism.

And one of the best ways, actually, of ensuring and establishing the writ of the state is to actually have the state dispense viable justice. And I don't understand why the-- the-- the-- there is-- there is almost a laziness to it. There-- it-- it is not just a lack of will. It is-- it is because the Pakistani state, actually the post-colonial South Asian state, has-- these are-- they are opaque by-- by-- by-- by-- structurally. they don't like accountability. They like to be able to crush dissent-- of-- particularly at the fringes. This is equally true of India, of Bangladesh, of-- Sri Lanka of course. And-- and-- and so on.

So-- so the thing is that it's-- it's part of that culture. And unless this is reformed and resolved-- and how do you do it? You do it by having an independent judiciary. Well, the struggle and (UNINTEL) Pakistan an independent judiciary. We have Tarzan (?) as chief justice. And then did he do anything about reforming-- the legal system? Did he do anything about improving access to justice? No. (CLUNKING)

This is one of those issues. And-- and-- and there is a perpetual argument between people like me-- who are asking for this kind of thing, and everybody across the board in the Pakistani state. And in this the Pakistani military leads the pack, which is that they want impunity laws to-- if-- to-- to transact effective counterterrorism. And actually the impunity law only exacerbates-- extremism and-- and-- and doesn't deal with the problem.

But there is no will and there is almost-- a tunnel vision about this. There are-- these-- these things are so mainstream that if you look at Pakistani cases, legal documents, virtually everybody who enters a police station is tortured.

And it does not even occur to a defense lawyer to record the fact that this-- you know, that-- that all-- it is-- it is a given that you-- you are arrested by the police, you are hung upside-down and thrashed. And people will appear in court-- in a state of physical disrepair and the judge disregards it and-- and-- and-- and-- your defense lawyer doesn't make an issue of it. And it's all kind of-- it's a bigger problem. And it has to begin with legal reform. But it-- there is no sign of it as-- as-- as of now.

DANIEL MARKEY:

Yeah-- this-- I'll pick up on the issue of potential cooperation on drones. I mean as I suggested before, I think that's broadly where we would want to get to, but it's not just drones. It's across the board in terms of we would want to have a situation where the United States and Pakistan see-- security threats in similar enough terms that we can cooperate more or less transparency in the sharing of intelligence, in operational planning, and so on. That's where we would want to be.

But when you not-- when you go down the list of some of the crises in the U.S.-Pakistan relationship over the past several years they have one thing in common, which is we haven't seen the threat in similar terms. I mean if you look at Raymond Davis. You know, why was Raymond Davis in Lore doing what presumably he was doing for the C.I.A.? It's because presumably the C.I.A. thought that the Pakistani state was not doing what it wanted to do in terms of going after organizations like Lashkar-e-Taiba. And why was he doing it secretly? Because the Pakistan state wouldn't have let him do it otherwise. Right? So there's a clear difference there in terms of trust and in terms of assessing who the threats are.

The Osama bin Laden raid. Why did it-- why was it done-- and I believe that this is the case, done without telling anybody in the Pakistani state that it was going to happen. Because there was no trust that had they done so, had the Obama administration done so, that the Pakistanis wouldn't have somehow done something to make the mission more difficult. Right?

Lacking that kind of trust-- then when you ex-- you know, you expand upon that, to the comments that then-- chairman of the Joint Chiefs of Staff made on Capitol Hill about the Hakani network being, as he put it, "A veritable arm of the Pakistani state," if there's that degree of mistrust, then you're not going to see cooperative arrangement on drone targeting. When you begin to see that-- that sense of who you're going after being similar targets, then you have an opening for cooperation. On drones or just about anything else.

CHRIS ROGERS:

Well, thank you very much. Thank you all for coming today and-- I mean it's-- as-- as Dan said, the-- there's a lot of the pieces to this puzzle-- there's a lot of different issues at play here and it's very complicated. But-- you know, I think-- (UNINTEL)

done a good job of trying to clarify those for us.

And especially to try to identify looking ahead, what are the biggest threats that we should be thinking about. What are the different dynamics. And particularly-- where there can be potentially some space for trying to increase-- open society and-- and the values that we work on here. So thank you very much and-- please join me in thanking our panelists. (APPLAUSE)

* * *END OF TRANSCRIPT* * *