

## Scenario 62

### **ISI IN POLITICS - II:**

This role of 'taking over' of civil and political affairs of the governments in Pakistan by the army intelligence agencies is not a new phenomenon. Since the first day of independence the people are undergoing an undue surveillance by them as has been enumerated in the previous chapter.

Let us step into the recent past.

Pakistan's chief spy Lt Gen Mahmud Ahmad was in Washington when the event of 9/11 attacks occurred in New York. He had arrived in US on the 4th of September, a full week before the attacks. He had meetings at the State Department 'after' the attacks on the WTC but he also had 'a regular visit of consultations' with his US counterpart at the CIA and the Pentagon offices during the week prior to 11<sup>th</sup> September 2001.

*Michel Chossudovsky, Professor at University of Ottawa [referred to '**Global Research**' of **Canada dated 2nd November 2001**]* had then raised very cogent questions that:

- What was the nature of these routine "pre-September 11 consultations"?
- Were they in any way related to the subsequent "post-September 11 consultations" pertaining to Pakistan's decision to cooperate with Washington?
- Was the '*planning of war*' discussed between Pakistani and US officials?

### **GEN MAHMUD'S ROLE IN WOT:**

On the 9/11 day (2001) while Lt Gen Mahmud was in the US, the Afghanistan's Northern Alliance Commander Ahmad Shah Masood was assassinated. The Northern Alliance had informed the Bush Administration that the ISI was allegedly implicated in the assassination.

The President Bush had consciously opted to cooperate with the ISI during Lt Gen Mahmud's '*post September 11 consultations*' in Washington having known their alleged links to Osama and the Taliban. Meanwhile, senior Pentagon officials rushed to Islamabad to put the finishing touches on America's war plans. But even then, ***the US admin had asked Gen Musharraf to sack Lt Gen Mahmud before its first formal attack on Afghanistan on 7<sup>th</sup> October 2001.***

Truth was that, as per ***report published in the 'Times of India'***, the Indian government had sent a brief to the White House [based on a French Press report] revealing the links between Lt Gen Mahmud and the presumed 'ring leader' of the WTC attacks Mohammed Atta.

The Indian intelligence / French Press report had also suggested that the 9/11 attacks were not an act of 'individual terrorism' by Al Qaeda, but rather they were part of coordinated military-intelligence operation, emanating from Pakistan's ISI. The Indians went successful in convincing the Americans that Lt Gen Mahmud had been coordinating with the alleged terrorist M Atta during his week's stay in America before 9/11 attacks on WTC.

The Americans were not so fool that they believed that cooked story first coined by the French Press [not the French Intelligence] then picked up by Times of India press, again not

sorted out by the Indian Intelligence; but even then Americans believed it: salute to a super power.

Could one believe that the CIA & the Pentagon had not kept Gen Mahmud, a spy Chief of a 'suspected' country, on their surveillance devices to know his visits to any person during his stay in America? Could one believe that Gen Mahmud's hotel room, his mobiles and the car he was using during the said tour were not bugged through remote control gadgets.

The Americans should have pondered that Lt Gen Mahmud was a 'US approved appointee' as the ISI's Chief, was in liaison with his US counterparts in CIA, the Defence Intelligence Agency (DIA) and the Pentagon since 1999. Americans also forgot that ISI remained the launching pad for CIA covert operations in the Caucasus, Central Asia and the Balkans since decades. The American decision makers should have identified the relationship between ISI & Osama's Taliban faction and also the links between the ISI and the CIA & Pentagon, too.

Thus the conclusion surfaced that the Americans were indirectly abetting international terrorism, using the Pakistani ISI as a 'go-between'. While Lt Gen Mahmud was talking to the CIA & Pentagon during 9/11 days, and if ISI officials were allegedly also in contact with the 9/11 terrorists there, what does it lead to: that there did exist a nexus between ISI, CIA, Pentagon and 9/11 terrorists.

Michel Chossudovsky had also opined to a similar finale by saying that:

*[In the backdrop of the Indian intelligence report] ..... The perpetrators of the September 11 attacks had links to Pakistan's ISI, which in turn has links to agencies of the US government. What this suggests is that key individuals within the US military-intelligence establishment might have known about the episode.*

*The least one can expect at this stage is an inquiry. What is crystal clear, however, is that this war is not a "campaign against international terrorism". It is a war of conquest with devastating consequences for the future of humanity. And the American people have been consciously and deliberately misled by their government.'*

India's lobby in the American Congress always tried to paint a thorny picture of the Pakistan's ISI pleading in the last that it should be banned; how it could be. ISI belongs to a sovereign state and India or America has nothing to do with its scope of duties or sphere of intelligence.

### **ISI IN BB'S INVESTIGATION:**

The role of Pakistan's extensive network of intelligence agencies had come under scrutiny once more in the aftermath of the assassination of Benazir Bhutto. Whereas Gen Musharraf had categorically denied any possibility of an agency hand in the killing, fingers continued to be pointed in their direction. One of the reasons for such suspicions was the fact that though they consumed enormous budgets, the public knew nothing about their assigned role.

The lack of information about this role added to apprehensions that intelligence agencies worked like a state within state, with no control by governments. That both the interior and defence ministries had been telling the courts that the intelligence agencies did not fall under them; meaning thereby that their functions were laid outside the government's structure.

That was why there have been allegations that the agencies were at work in creating confusion about the murder of Benazir Bhutto. One could recall about 600 'disappeared' people in the country that the intelligence agencies had gained most notoriety. The Supreme Court had in the recent past held the agencies responsible for whisking away hundreds of citizens and keeping them in secret jails.

Talking about the later things; the **UN Commission** for investigation of Benazir Bhutto's assassination in Rawalpindi had mentioned, with utter surprise and sorrow, in their final report

that the PPP government itself was responsible for slowing the process of investigation. For instance, the Government, which has been in office since April 2008, only commenced the further investigation in October 2009. The Commission's effort to determine the facts and circumstances of Ms Bhutto's assassination was not a substitute for an effective, official criminal investigation which should have been carried out, controlled and pursued simultaneously.

Another gigantic disappointment for the UN Commission was the overwhelming interest of Pakistan's intelligence agencies in the said investigation. The role of military intelligence agencies like ISI or MI, in the case during first three months of 2008 could be tolerated because of Gen Musharraf's rule but after April 2008, their role was neither justifiable nor necessary because a democratic setup of Benazir Bhutto's own party [PPP] was in saddles. The intelligentsia and many investigative media reporters speak about the omnipresence and clandestine role of these agencies in Pakistani society also.

During the course of this enquiry, the UN Commission got confirmation of this fact not only in law enforcement matters particularly in criminal investigations like of Benazir Bhutto, but also in various aspects of the country's political life during 2007. In terrorism cases, it is rational and tenable that intelligence agencies should provide support to police investigative parties but in case of Ms Bhutto's assassination, the role of intelligence agencies far exceeded an assisting role.

*[There is nothing on record to show that ISI and MI or even the civil intelligence agency IB, had ever provided any lead or assistance in solving high profile cases.]*

In routine practice, the agency personnel otherwise remain present there at all scenes of crime but only to take notes for their own bosses and not for help or assistance to the civil investigators and not even to share with each other within intelligence circles. In most cases the uniformed civil investigators are always found scared of ISI's being there because their reports for their supervisors mostly contain critical remarks and negative connotations. The civil investigators mostly face humiliations at the hands of military's intelligence people on the basis of 'fault-finding' caricatures prepared under the garb of 'event reports' for their own.

The same happened in Benazir Bhutto's case. The UN Commission categorically mentioned that the agencies, and in particular the ISI, carried out parallel investigations into both the Karachi event of 18<sup>th</sup> October 2007 and the assassination of Ms Bhutto on 27<sup>th</sup> December 2007. The ISI had conducted its own investigation of the Karachi attack and had successfully detained four men who had allegedly provided logistic support for the attack. None of the police or other civilian officials was having any knowledge of such detentions.

Similarly, the ISI personnel covering Ms Bhutto's meeting at Liaquat Bagh were the first to secure her vehicle and take photos of it after the attack, among other actions. Even the high level state officials believed that the ISI, in fact, was made responsible for the investigation of Ms Bhutto's assassination. The Intelligence Bureau had never played any significant role in the investigation. What use of them; the living parasites on poor people's money!

Hold on! How the ISI or some other intelligence agency would help the civil police in Ms Bhutto's investigation. See an article of **'the Guardian' date 26<sup>th</sup> July 2010:**

*'President Bush could have forced Pakistan to break the ISI-Taliban nexus but did not. He was dealing with Musharraf who was in control of ISI. President Obama had to deal with an elected civilian government .....where Mr Zardari had opted to make the war on terror the centrepiece of his administration.*

*Taliban-linked extremists murdered Zardari's wife, Benazir Bhutto. .... after reading the UN report, it is hard to avoid the conclusion that there was some level of official complicity in her killing, possibly by ISI officials. But Zardari does not control the ISI.'*

The British paper had directly pointed towards ISI's possible connivance in Ms Bhutto's killing.

Analysing the situation on merits; the intelligence agencies work better when they are formally invited to join or associated with civil investigators in specific joint ventures. Members of

the Joint Investigation Team (JIT) that investigated Ms Bhutto's assassination had admitted that much important information came from the intelligence side but much had been kept hidden from the civil for unknown reasons; especially related with identification and arrest of the suspects.

High ranking police officers believe that resources to build investigative capacity, especially in terrorism cases, have virtually been shifted to the military intelligence agencies, while police resources and capacity are far behind. Indeed, in the aftermath of the attempts on Gen Musharraf's life, the capacity of the ISI was strengthened to allow it to engage more effectively in such investigations. This tendency developed a distortion and imbalance in the functions of these institutions and posed a challenge for the future in ensuring the democratic rule of law.

Another aspect of the issue: take an example of Baitullah Mehsood's audio-tape referred by Brig Cheema in his media briefing of 28<sup>th</sup> December 2007. To determine the authenticity of suspects or back ground criminals, the phone interceptions might have been successfully used by the ISI or IB to reach that conclusion but using the same techniques to bug the politicians, journalists and social activists are not authorized in a democratic society.

Further than their involvement in criminal investigations, the UN Commission had felt a deep-root presence of intelligence agencies in several key aspects of the chaotic events of 2007. This persistent presence of agencies often hampered the ability of other institutions to exercise their mandate in the fields where they had to function independently.

The electoral process was one such area. The involvement of the ISI in influencing electoral outcomes in past elections is a well-documented reality; Air Marshal Asghar Khan's case in the Supreme Court can be cited as a cogent instance. That is why Ms Bhutto had to ask Gen Musharraf that keeping away of ISI should be included in the guarantee of free and fair elections [***January 2007's backdoor diplomacy & July 2007's meeting between Benazir Bhutto and Gen Musharraf are referred***]. The UN Commission mentioned that:

*'The day after Benazir Bhutto's July (2007) meeting in Abu Dhabi with Gen Musharraf, an aide to Ms Bhutto was sent secretly to Islamabad on her behalf to review the work of the firm hired to create the new electoral lists; his site visits for this purpose were facilitated directly by Gen Kayani and other ISI staff.'*

*'In 2007 the ISI had guaranteed that there would be no rigging. While by all accounts, the 2008 elections were "the most fair" (really?) elections in recent Pakistani history, constitutionally, the task of safeguarding the electoral process is the role of the Pakistan's Election Commission.'*

The UN Commission's observations were based on facts because the top army brass had purposefully involved the ISI in political negotiations between Gen Musharraf and Benazir Bhutto in all of its stages. Gen Kayani was praised from all corners for keeping himself, his army and the military intelligence units away from elections that time [in 2008].

### **ISI IN 'OTHER NATIONAL' AFFAIRS:**

History has also witnessed that on 9<sup>th</sup> March 2007, when Chief Justice Iftikhar M Chaudhry was called in the Army House to surrender before Gen Musharraf, the chiefs of both ISI and MI were there to influence slaughtering of Justice and manipulate the composition of the Courts subsequently. The UN Commission's report had justifiably concluded that:

*'... continuing involvement of intelligence agencies in diverse civil spheres, which is an open secret, has undermined the rule of law, distorted civilian – military relations and weakened most political and law enforcement institutions. At the same time, it has contributed to wide-spread public distrust in those institutions and fed a generalized political culture that thrives on competing conspiracy theories.'*

Talking about rigged elections of 2002, one may recall an interview published on **24<sup>th</sup> February 2008 in The News**, a daily English newspaper of Pakistan, the Deputy Chief of the ISI during 2002 elections, Maj Gen (Rtd) Ehtesham Zamir had admitted his guilt of manipulating the said [2002] elections, and directly blamed Gen Musharraf for ordering so.

As has been referred in Chapter 14 of Volume-I, Maj Gen (ret'd) E Zamir termed the 2008 elections '**fairer than 2002**'; the reason behind their fairness that there was relatively less interference of intelligence agencies this time as compared to that in 2002. When asked if he ever felt that he was committing a crime by manipulating political business at the cost of public wishes, Gen Zamir said:

*'Who should I have told except myself. Could I have asked Musharraf about this? I was a serving officer and I did what I was told to do. I never felt this need during the service to question anyone senior to me.'*

***Yes! Corruption cases were used as pressure tactics on lawmakers; not only by the ISI, the NAB was also involved in this exercise.***

*It was for this reason that I have never tried to preach others what I did not practice. But I am of the view that the ISI's political cell should be closed for good by revoking executive orders issued in 1975.'*

[General elections held on 10<sup>th</sup> October 2002 were stolen in favour of PML(Q) on the orders of Gen Musharraf. The history would remember that Gen Musharraf's Principal Secretary Tariq Aziz was given the assignment to deliver a pro-Musharraf parliament. To fulfil this assignment, Tariq Aziz made indiscriminate use of ISI and the NAB. Gen Musharraf's aides, as well as PML(Q) leaders, termed the opposition leaders' statements as baseless and a lame excuse not to admit their defeat.]

Maj Gen ® Ehtesham Zamir's confession could be treated as the last nail in ISI's coffin if democracy was to be saved and strengthened in Pakistan.

The question arises that was it appropriate for a democratic government [PPP] or a professional military organisation like Pakistan Army to allow continuing these intelligence agencies, consuming a sizable chunk of Force's budget, to waste their energy and resources in settling miniature political manoeuvres and intrigues that too at the cost of their primary duty of running for Pakistan's security from external and internal threats.

Referring to '**the News**' of **21<sup>st</sup> April 2008**:

*'The man who has ruled Sindh as a de facto chief minister for many years finally lost his powers on Saturday. Brig Huda, who was an ISI commander in Sindh, was in fact the caretaker of the MQM - PML(Q) provincial coalition government. He was responsible for running the coalition in a smooth manner.'*

*All major decisions were taken after consultation with Brig Huda. He resolved the differences between former CM Arbab Ghulam Rahim and the MQM many a times. Many provincial ministers even used to say "**ooper Khuda aur neechay Huda**".'*

*The brigadier's name figured in the power circles of Islamabad in the evening of May 12, 2007. Brig Huda was given credit for the show of massive government power in Karachi on that day.'*

*Initially, the MQM was reluctant to hold a rally in Karachi on May 12. The then ISI DG Gen Ashfaq Kayani also had the same opinion that the MQM should not come out on the streets when Justice Iftikhar Muhammad Chaudhry would visit Karachi.'*

*It was [Brig] Huda who played an important role in convincing the MQM not to cancel its rally. He assured the MQM leadership that there will be no riots on that day though he was proved wrong. He was very close to the then Army Chief Gen Musharraf. However, no action was taken against him.'*

The blasts in the rally of Benazir Bhutto on 18<sup>th</sup> October 2007 at Karsaz in Karachi were another failure of ISI or Brig Huda. He was responsible for the security of Benazir Bhutto on that day. However, he was not transferred despite his repeated failures. His downfall started on 9<sup>th</sup> April 2008, when many people including lawyers were killed in the Karachi violence. The PPP government in Sindh felt that Brig Huda was still having immense political influence and was in contact with the anti-PPP forces. The key bureaucrats reported to the provincial government that Brig Huda was interfering in their departmental functions.

Brig Huda was more interested in "political makings and breakings" than doing his security job. After the episode of 9<sup>th</sup> April 2008, PPP leaders asked DG ISI Lt Gen Nadeem Taj through the PM that Brig Huda must be taken out. **On that day, six lawyers were burnt alive and 62 vehicles were set on fire around the City Courts and S M Law College campus.** See what a senior government officer told the media:

*'We reached ..... and some people were firing in the air and asked us to stop and come out. Then they asked us to remove our shoes, which we did. They pointed gun on me and I shouted that I belong to your community. Then they turned to my driver who is a Sindhi and started beating him in-humanly.*

*I appealed them that he is my driver and I take full responsibility of him, then they stop beating him and asked us to flee and set my car on fire. We ran away and searched for a hide nearby and remained in that hide until my car was completely burnt.'* [19<sup>th</sup> April 2008: [www.pakspectator.com](http://www.pakspectator.com)]

It took just a few days and Brig Huda was transferred and got replaced by another brigadier.

### **MEDIA'S BLUFF ON ISI IN AFGHAN CONFLICT:**

Now let us take the other front of the military strategy [***till the end of 2012 at least***], where again Pakistan has been loosing.

Public sources, analysis and documents confirmed that Afghanistan war was being lost badly, the Afghan Taliban went continuously aggressive, US forces were not able to attack the right targets and the Western press continued blaming that 'elements' in Pakistan were supporting the Taliban. They maintained that '*raw intelligence spread over 90,000 pages*' [referring to documents allegedly recovered from Osama BL's premises] had shown a continued relationship between the ISI and the Taliban.

Not surprising. In the post 1980s era, the ISI helped create the Taliban and Pakistani support was decisive to the Taliban's capture of Kabul in 1996. From inside; the US authorities continued to force down that Pakistan did not break its ties with the Taliban as Gen Musharraf had promised President Bush.

According to the American version Mullah Omar and his close associates were in Pakistan since 2001. False or true; he might be there and even Pakistan's intelligence agencies had not genuinely known but that was why they vowed to launch more direct attacks on Pakistan as was done on 2<sup>nd</sup> May 2011 for Osama.

In the past, the ISI has been co-operating with the US by arresting militants like Mullah Baradur, the Taliban number two and a key figure in its military operations but the Pentagon kept echoing that the ISI played double game with them. The American blame of 'double game' playing by Pakistan was not new. The fact remains that Pakistan had been telling the US authorities every now and then in very clear terms that 'Americans are loosing in Afghanistan'.

The ***New York Times of 22<sup>nd</sup> July 2009***, in an essay titled "**Pakistan Objects to US Plan for Afghan War**" had itself mentioned that:

*The country's perspective [on the US surge in Afghanistan] was given in nearly two-hour briefing [a day earlier] for The New York Times by senior analysts and officials of Pakistan's main spy service, the Directorate for Inter-Service Intelligence.*

*One of the first briefing slides read, in part: **'The surge in Afghanistan will further reinforce the perception of a foreign occupation of Afghanistan. It will result in more civilian casualties; further alienate local population; thus more local resistance to foreign troops.'***

It was a clear message which the ISI itself had conveyed openly to the world. But how ISI was subjected to pressure, only few people know.

Once **'The Sunday Times' of early April 2010** published allegedly a baseless story with reference to a 'source' linked with London School of Economics (LSE) saying that:

*'President Zardari and a senior ISI official met 50 high-ranking Taliban members at a prison in Pakistan. Zardari spoke to them for half an hour; also met Mullah Abdul Ghani Baradar, the Taliban's former second in command; also Mullah Abdul Qayyum Zakir and Mullah Abdul Rauf; both were former Guantanamo inmates.....'*

*To retain its influence over the Taliban's leadership, the ISI has placed its own men on the Quetta Shura. Up to seven of the Afghan Taliban leaders who sit on the 15-men Shura are believed to be ISI agents.....'*

*The ISI pays 200,000 Pakistani rupees (then £1,600) in compensation to the families of suicide bombers who launch attacks on targets in Afghanistan..... Camps within Pakistan train Taliban fighters in three different sets of skills: suicide bombing, bomb-making and infantry tactics.....'*

It was all pack of lies. In routine the Sunday Times published the Afghan War stories communicated by its own correspondents, responsible enough for reporting but this 'source report through LSE' brought much bad name from fellow media circles because not even a single phrase was corroborated by any other media report or independent evidence.

Major Gen Athar Abbas of the ISPR had called all the claims ridiculous and absolutely baseless. Farhatullah Babar, a spokesman from the presidency had vehemently denied the story about Mr Zardari saying that: *"President Zardari never met Taliban leaders. This never happened."*

Sunday Times should have known Mr Zardari who had never issued any statement on 'Army Affairs' what to speak of meeting Taliban Commanders. Otherwise he as President, and the PPP as ruling regime, never approved ISI's policies in Afghanistan.

**'The Economic Times' of 14<sup>th</sup> June 2010** also gave version of ISI's denial with much considerable comments.

What the western block wanted to get out of such baseless stories; to hit the ISI. Sometimes the media associates of Pakistan joined them too. The media, Pakistani and Western, paper as well electronic, often orchestrated negatively since at least 2007 over the alleged role of ISI in politics.

Z A Bhutto is said to have assigned some political work [*then mostly related to Balochistan affairs, it is believed*] to ISI but it might not be a policy decision. Anyway, what one Prime Minister did, any of his successors could undo it if it was considered wrong but it never happened. The fact remained that every ruler, civilian & military, found it convenient to use ISI in political manipulations. So, the practice continued, despite a lot of noise over the years.

Who were the people in the media and politics who wanted ISI under political control, or even its abolishment; mainly India and US for obvious reasons. Zaid Hamid, a veteran reformer, filed a petition [**on 2nd April 2012**] in the Supreme Court for trial of certain media warlords like Imtiaz Alam, Executive Director SAFMA, Sirmed Manzoor, Najam Sethi, Beena

Sarwar, Nusrat Javeed, Khaled Ahmed, Marvi Sirmed, Ali Chishti, Hamid Mir, Hassan Nisar, Asma Jahangir and some others under 'high treason' clauses of the Pakistan Constitution but no cogent response till today at least. The said petition was drafted by Ahmed Raza Khan Qasuri on behalf of Zaid Hamid.

### **ISI ON OSAMA'S KILLING:**

Thus, it was difficult to pressurize the ISI indirectly, too. Threatening to withhold US assistance to Pakistan could not work effectively; so there was no other option left with the Americans to bring down the ISI through an operation like of Osama's killing which ultimately bought humiliation and dishonour not only for the Pak-Army and the ISI but for the whole nation.

Why America resolved to this way out. Amidst miss-understandings between ISI and CIA, the US believed that their hi-tech weapons were not hitting at specific locations because of unreliable intelligence provided by their ally Pakistan's ISI. Poor intelligence brought more civilian casualties thus causing more problems for the NATO planners coupled with roaring tide of general hatred against the Americans. Pak-Army and the ISI was continuously pressurised and Pakistan was often punished as a scapegoat in that failed war.

After 2<sup>nd</sup> May 2011's attacks on Abbotabad, a joint parliamentary session was called on 13<sup>th</sup> May in Islamabad. The details of the proceedings have been given in a separate chapter on 'Osama's Killing'. However, referring to ***'The Friday Times' of 20-26<sup>th</sup> May 2011;***

*'The resolution passed by the joint parliamentary session marked the beginning of a new chapter of civil-military relations. The army leadership, embarrassed by the American raid on Osama's compound, mostly remained defensive throughout the session, because it needed the parliamentary cover for their failings and inadequacies.'*

For nationalist people, it was not a moment to rejoice but an occasion to revisit their policies and priorities in an arena of on-going relations with the US. The members unanimously agreed to appoint an independent commission on the Abbottabad incident to fix responsibility.

The parliamentary resolution also proposed blocking NATO supplies if such an incident happened in the future, but bad luck for poor Pakistani populace, this step was never implemented [Though it was done later when the US air attack of 26<sup>th</sup> November 2011 on Pak army's post at Mohmand border [Salala] killed 24 army men including six officers, but lasted only for a few months and the NATO supplies resumed again].

Earlier, the people and intelligentsia had been raising loud voices to block the NATO cargo route through Pakistan to stop the drone attacks but it was never given serious thought either by Gen Musharraf's regime or his successors since five years in saddles.

Once in the past too, Pakistan was able to test the grounds for launching a halt for American's cargo transport when NATO helicopters had killed two Pakistani soldiers in the Kurram Agency on 30<sup>th</sup> September 2010. Pakistan Army had called back the security cover to the American interests in that region while asking for an apology. The then US ambassador Ann W Patterson had to offer a public apology at last on 7<sup>th</sup> October instant but till then NATO's 150 trucks carrying food, fuel and weapons for coalition forces in Afghanistan had gone up in flames.

The Army Chief Gen Kayani had ordered an investigation into the Abbotabad episode to be done by a team of senior military officers which was unanimously rejected by all. During the joint parliamentary session, ISI and the army had to agree on an open enquiry by a panel of judges of higher courts or at least a joint civilian body; another blow to the military's legitimacy in Pakistan.

More seriously; on 14<sup>th</sup> May 2011, PML(N) Leader Nawaz Sharif demanded in a press conference that:

*'It should be the parliament's prerogative to determine the kind of relationship we need to have with India, the US, Afghanistan or any other country. Intelligence agencies should stop playing games, including making new political alliances and dividing political parties. They should stop running parallel government and dictating to elected representatives.'*

The former Prime Minister had availed an opportunity to recount his days in two notorious jails; one in the Mogul era's Attock Fort and the other in Landhi, Karachi to back his claim that intelligence agencies used to break laws to make or break governments. Thus while the American raid on Osama's hide out had unified the political forces in Pakistan, it also provided them with a whip to wave at the hitherto 'unaccountable, all-powerful' ISI, whom the burden of circumstances had humbled into modesty, might be for the time being.

The point remains that had the Pakistani politicians behaved more responsibly, shown personal integrity and demonstrable commitment to the interests of the people, the dependence on ISI would have been outdated much earlier. The American raid at Abbottabad and the ensuing parliamentary debate of 13<sup>th</sup> May 2011 indeed marked the first step towards turning the balance of the civil-military relationship in the favour of the former; but if they could handle it.

#### **GEN HAMID GUL'S OPINION:**

An interview of the former **Chief of ISI, Gen Hamid Gul, appeared in magazine 'New-line' of June 2011** reflected a true picture of America's designs to take control of Pakistan's military affairs.

Q: Terrorists are increasingly turning more deadly and hitting targets at will. The PNS Mehran attack [May 2011] speaks of the gravity of the situation. There is an impression that Pakistani forces are incompetent or unwilling to take on the terrorists head-on. What do you think?

*A: Pakistan's armed forces and security agencies are in deterioration and disorientation phase and the Abbottabad and Mehran attacks are examples of just such deterioration. Operation Osama and Mehran were meant to fix the Pakistan military and ISI, and set them up for criticism and ridicule.*

*The US has been involved in every attack on Pakistan's strategic assets, aimed at creating the feeling among Pakistanis that their armed forces and secret agencies are incompetent and cannot protect their country.*

*[Gen] Pervez Musharraf is solely responsible for creating this mess in Pakistan by allowing the US to use its bases and other facilities and establish its network through Raymond Davis-like agents to destabilize Pakistan. A US-India sponsored group is involved in the Mehran attacks and its sole purpose was to hit the Pakistan navy's navigation surveillance system and deprive Pakistan of its ability to detect any Abbottabad-like operation in its waters.*

Q: Some senior officials in Washington are accusing the ISI and Pakistan's military for providing shelter to Osama in Pakistan. The military maintains that they, including the ISI, were ignorant of OBL's presence in Pakistan until the US forces' operation. What do you believe?

*A: The US has been working on an anti-ISI agenda for a long time. However, in the past, such tactics failed because they did not get the support of the Pakistani leadership. But today, danger looms more visibly than ever before because Pakistani rulers themselves are a party to conspiracies hatched against the country.....*

Q: The US and ISI installed the mujahideen in Afghanistan; it is widely believed that the ISI's policy of controlling Afghanistan through the Taliban brought terrorism and insurgency to Pakistan. What do you say?

*A: Our western border has always been a shield for Pakistan since our decision to demilitarize the Pak-Afghan border in 1948. By defeating the Soviets, the ISI protected Pakistan's interests in Afghanistan and made our western border safer, but what we miscalculated is the US thinking on Pakistan.....*

Q: In the in-camera briefing to parliament [dated 13<sup>th</sup> May 2011] on OBL's killing, DG ISI Shuja Pasha stated that some Islamic countries were funding JUI and other religious parties to carry out their respective agendas. Is there any truth to this?

*A: Yes we had information that some religious parties were getting dollars from an Islamic country. But the ISI also had evidence that some politicians loudly demanding democracy in Pakistan were also being funded by foreign countries. I have many secrets about popular political leaders.*

Q: It has been tacitly recognized by successive political governments and the public that the ISI operates as a completely independent body answerable to no one, and Pakistan's foreign policy has long been held hostage by the agency in pursuit of its own agendas, which are often in conflict with the governments. Do you concede this?

*A: It is Pakistan's great tragedy that the PPP has always aimed at bringing the ISI under its control; whether it was Zulfikar Ali Bhutto, Benazir Bhutto or now Zardari and his party.*

*The PPP actually has always seemed to believe that if the ISI is not directly responsible to it, it will weaken the government. So the current PPP leaders are once again trying to bring the ISI under civilian rule. Basically the PPP wants to weaken the ISI as an institution and in the process, serve others' aims.*

### **CIVILIAN CONTROL OVER ISI?**

Referring to the daily '**Dawn**' of **5<sup>th</sup> December 2011**; the principal character in the memo-gate scandal, Mansoor Ijaz, openly deliberates that '*the ISI is under nobody's control [like CIA of America] and always keeps its hand in politics*'. In an interview with CNN host Fareed Zakaria, Mr Ijaz said:

*'The ISI has two critical branches in it. One is called CT, for counter-terrorism, and the other one is called S Branch for strategic — it's sort of the arm of the ISI that does everything from political interventions in other countries [for example: Afghanistan] which is what they're doing through the Haqqani network and the Taliban right now.*

*It is essentially the organ of the state that the army and the intelligence wings are using to, shall we say, coordinate or obstruct what it is that the political side of the government, the civilian side of the governments do in Pakistan.'*

As per Mansoor Ijaz's version the ISI does a lot of political interventions in its own country and that S Branch was involved in manipulating elections and remained involved in different operations in Pakistan since very long. However, he did not mention that what kind of operations these were.

By the way; **why should ISI be under the Prime Minister**, as has been pointed out by Gen Hamid Gul in above replies? It is a joint intelligence service of Army, Air Force and Navy, staffed by personnel from all three services. Its objective is to protect national security through intelligence and counter intelligence. Being a military agency, it should not be under a civilian but, instead, politicians could have asked the respective army chiefs to **abolish the 'Political Wing' in the ISI** leaving it behind a purely professional espionage agency.

In the Asghar Khan Case judgment of 2012, the Supreme Court has already declared that the Pak-Army or the ISI would no more be doing any political interference AND since then it stands implemented.

Civilian Prime Minister already keeps under him the Intelligence Bureau [IB], a civilian agency dealing with national security in non-military matters and staffed mostly by police or IB's own cadre officers. It should be enough; incidentally, CIA is also a civilian agency, like IB. That is why it is under civilian control. If the politicians could never activate the IB, could not get desired results from them, could not make them powerful; Pakistanis should be sure that ISI would also go toothless there and become another parasite on the public funds.

Who are the people in the media and politics that want ISI under political control, or even its abolishment? Well, ISI finds out about the persons working for our 'friendly' enemies, like India and US. Naturally, it keeps a watch on them and neutralizes them. That makes those politicians mad whose main interests [financial too] lie out of Pakistan or whose strings are controlled from Washington or Jeddah or Dubai.

Just a passing reference from **'the Friday Times' of 30<sup>th</sup> Dec 2011 to 6<sup>th</sup> Jan 2012 issue:**

'Ex-ISI Chief Gen (Retd) Ziauddin said in *Mashriq* [a daily newspaper from Lahore] that Gen Musharraf and Brig Ijaz Shah [once the IB Chief] had given shelter to Osama bin Laden but Memo-gate was an American sting operation to entrap Pakistan. He said America could not save any government in Pakistan from being toppled. When it considers democracy inadequate, the Army takes over.

Gen Ziauddin said that America had trained 90 commandos to capture Osama but the then ISI Chief Gen Mahmud had scrapped the scheme.'

Another script from the same above reference:

*'Columnist Nazeer Naji wrote in Jang that Dr Abdul Nabi Fai from Indian administered Kashmir was resident in Washington and was honestly agitating for the freedom of the Kashmiris from India but was destroyed by someone in the ISI who thought of giving him money for doing what was his national mission. He was not made a formal lobbyist for Pakistan and was therefore caught and punished for [allegedly] taking money from the ISI.'*

Travelling through the history of Pakistan since 1948, gradually and triumphantly, it remains a fact that the politicians had always proved to be a disaster while trying to seize control of the ISI. Benazir Bhutto replaced Gen Hamid Gul with Gen (retd) Kallue; Nawaz Sharif replaced Gen Asad Durrani and brought Gen Javed Nasir as DG-ISI but both failed miserably. In 1999, PM Nawaz Sharif brought Gen Ziauddin Butt [a General from Engineering Corp] as DG-ISI but the then COAS Gen Musharraf made him ineffective by packing the ISI with his loyalists; all the three were declared PNG [*persona non grata*] in their respective times.

In nut shell, the intelligence agencies like ISI and MI had brought more criticism and less appreciation from the populace in general. On the other hand, the Pakistan Army, as an institution, has always been praised and applauded. A **Working Paper [no: 122 dated 10<sup>th</sup> February 2011]** compiled by **Institute of South Asian Studies Singapore** had mentioned that:

*'The [Pakistani] army's role in meeting the disaster once again revealed that it is the strongest and most effective state institution. Even before the floods, the army had recovered the prestige it had lost during the end of the Musharraf era.*

*A study has revealed growing approval ratings for the army with 84 per cent of those surveyed expressing positive views, compared with 68 per cent in 2007.....*

*On the eve of the floods, President Zardari's poll standing had already been declined dramatically from the 2008 high point. His absence from Pakistan as the floods took their grip and the Federal Government's inability to deal with the natural catastrophe made him appear still more aloof from the people, therefore, further weakening his standing with respect to the army.'*

See the later news now.

Referring to **'the Jang' dated 5<sup>th</sup> March 2012** PML(Q)'s Ch Shuja'at Hussain and Ch Pervez Elahi once went to the Army Chief Gen Kayani and lodged their complaint in a very docile and humble way saying that:

*'One of the heads of your intelligence agency [Gen Pasha, DG ISI he was] is overtly and covertly interfering in our [political] affairs; we've always been with you [the army]; we had never caused you loss or let you down but your agency is bent upon breaking our party; our members are being forced by your agency to join another political faction.'*

The Chaudhrys were perhaps pointing towards Imran Khan's *Sonami* with special reference to Amir Muqam's shaky behaviour those days. Gen Kayani might know but had not taken it seriously till then that his officers had gone so deep into the political game. The meeting brought fruit and the '*Sonami* slogan' of Imran Khan was initially halted for some days then started moving in routine gear.

The general populace of Pakistan has to consider all the factors seriously.

#### **ISI – 'A STATE WITHIN STATE:**

It is also a fact that Air Marshal Zulfikar Commission [formed during Benazir Bhutto's first regime] had recommended that the political cell should be altogether abolished from the ISI. Then Gen Hamid Gul was the Chief of ISI who had immediately sent a written confirmation to the Commission that **'the Army itself do not want this political cell in ISI, therefore, should immediately be abolished'**.

Air Marshal Zulfikar forwarded this suggestion to the then Prime Minister Benazir Bhutto for approval. The news was also leaked out for the press and media but then suddenly the ISI Chief Gen Hamid Gul received a call from Gen Nasirullah Babar of PPP saying:

***'General Sahib! There is news in the press that the government is going to abolish the Political Cell of ISI. Forget it; the government has no such plans.'***

It is also available on record that **on 5<sup>th</sup> July 2012** a 19-page draft bill was submitted in the Senate by President Zardari's spokesman Senator Farhatullah Babar for discussion. It was legislation regarding the ISI which was brought up there after having discussed with coalition partners but was termed as a private member's bill submitted by a parliamentarian in his individual capacity. The preamble of the Bill said that:

*'In the case of missing persons, the government had formally submitted before the Supreme Court on 27<sup>th</sup> April 2007 that the operations of the intelligence agencies were beyond the control of the federal government. ....*

*[Thus] the absence of appropriate legislation regulating the functioning, duties, powers and responsibilities of the agency is not consistent with the principles of natural justice and accountability of authority and power and has given rise to resentment against the premier national agency.'*

The proposed Inter-Services Intelligence Agency (Functions, Powers and Regulation) Act, 2012 suggested that **'the ISI should be answerable to parliament and the prime minister'**. It recommended internal accountability and a better discipline within the agency to put an end to enforced disappearances and victimisation of political parties.

The bill provided that the Director General of the agency should be a serving or retired civil servant in BS-22 or of an equivalent rank in the armed forces to be appointed by the president on the recommendation of the prime minister and should hold the office for four years. **'The agency shall be directly under the prime minister and not under any ministry,'** it was mentioned therein.

The bill had also envisaged an Intelligence and Security Committee of the Parliament comprising nine members drawn from both houses of parliament, none of whom could be a minister or minister of state, to examine matters relating to expenditure, administration and policy of the agency. The proposed committee was not allowed to go into the intelligence sources of the agency. The prime minister was suggested to lay before both the houses of Parliament an annual report of the committee together with a statement as to whether any matter could be excluded from it and why.

There were other clauses controlling the issues of methodology of detention, period of custody for 30 days and beyond, powers of Review Board, accountability & discipline, employee's terms and duties and appointment of Ombudsman for intelligence matters, trials & appeals etc but the PPP's ruling regime could not find enough strength in its own rows & columns to take the bill through.

**Just six days after, on 11<sup>th</sup> July 2012, the bill was withdrawn** from the Senate because on this private bill no one else in the PPP had spoken in its favour. Other coalition partners like MQM, PML(Q), ANP or JUI and the so-called opposition [PML(N)] all maintained silence on it. The fact was that most parliamentarians preferred to studiously ignore any attempts to take on the military.

Editorial of **'the Express Tribune' of 11<sup>th</sup> July 2012** commented that:

*'Intelligence agencies have seemingly always operated with impunity. The ISI and other military agencies came into being through executive orders but there was never any attempt by parliament to control their actions by passing legislation that laid out their functions. ....*

*This PPP government's track record in that regard has been particularly poor. Soon after coming into power, in July 2008, the government tried [through Rehman Malik] to bring the ISI under the purview of the interior ministry, but took back the notification barely three hours later after the military vociferously and angrily objected.'*

The ISI, IB and other intelligence agencies still operate through Standard Operating Procedures (SOPs) having no legal sanctity hence all actions carried out by them do not stand the scrutiny of law. Thus it may not be out of place to mention here that all such proposals regarding control of ISI and other intelligence agencies were elaborately discussed by late Benazir Bhutto and Nawaz Sharif in 2006 and later made part of their renowned and celebrated **'Meesaq e Jamhooriat'**. It is still available in their sacred document that:

- All intelligence agencies will work under the civilian government.
- ISI and the MI will be attached with Ministry of Defence whereas all other intelligence agencies will be attached with the Cabinet Division.
- The budget of these agencies will be provided through 'Cabinet Committee on Defence'.
- The political cells of all the intelligence agencies will be abolished.

- The appointments of senior officers in all agencies will be done by the civilian government.

However, when the so-called democracy prevailed in early 2008, both parties belonging to Benazir Bhutto and Nawaz Sharif never bothered to look back on their 'manifesto' which had been trumpeted in high volume ever since.

For ISI, a peculiar phrase [*of State within a State*] was beaten loud in Pakistan in the third week of December 2011 by PM Gilani while pointing towards the alleged anti-PPP activities of the then DG ISI Gen Pasha; soon after it became talk of the town; a spicy [and spiky too] subject for live TV shows, editorials, and columns in media.

As has been mentioned above, in July 2008, Asif Zardari and Rehman Malik tried to seize control of the political wing of the ISI by proposing its control with the interior ministry but the notification could survive only for three hours. Under Gen Pasha, the ISI caught hold of dictating foreign policy; allegedly disobeying, embarrassing and even destabilising the Zardari government on some occasions, until PM Gillani [once himself a beneficiary of the ISI and GHQ] was provoked to bitterly label the ISI as '*state within a state*'.

The fact remains that the able Senator Farhatullah Babar had taken the whole set of wording from the draft IB bill proposed in early days of PPP government in 2008; only the word IB was replaced with ISI. It was a replica of the same old draft of law which could not be placed before the Parliament due to unknown reasons. The bill was not even able to get approval of the PPP's own Federal Minister for Law and Justice Farook H Naek.

Though the proposed bill also aimed to empower the ISI to deal with terrorism, separatism and other anti-state activities in a legally effective manner but the PPP leadership, then besieged by the superior courts, could not find enough courage to encroach upon the powerful military, and avoided possible kick out. The proposed bill could, in one way, truly strengthen the ISI to defend the national interest especially in dealing with terrorism and missing persons affairs etc but the problem remained that '*who would bell the cat*'.