



PIPS Policy Brief Counter-Violent Extremism

Working Group 5

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Constitution, Citizenship and Governance

Summary

- This brief summarizes the findings of the fifth working group's meeting on Counter-Violent Extremism (CVE). The meeting explored to what extent is extremism linked to the provision of constitutional rights and physical services provided by the state. Focus was made of how the concept of citizenship is absorbed by people, and how governance is carried out on the ground.
- Exclusion is at the heart of violent extremism, the group noted. Militants hit at religious minorities, already pushed to the margins, and exploit areas where normal law is missing or services are denied.
- The group stressed upon equality. By treating citizens with equality, ideological spaces of militants can be reduced; and by bestowing similar rights and services to all geographical areas, physical spaces under militants' influence can be secured.
- The group called for adopting a framework, which treats all citizens, irrespective of their ethnicity, creed and geography, with equality.
- An efficient criminal justice system, especially at lower level, will greatly steer away people from being recruited by the militants in the future.

Background

On April 17, 2017, Pak Institute for Peace Studies (PIPS) convened meeting of fifth working group on Counter-Violent Extremism (CVE), exploring to what extent is extremism in the country product of the way people "fare" in the country, and what can be done in response. By "faring", the group was supposed to discuss common citizens' status in the eyes of the state and to each other, illustrated best through their citizenship rights. The group also discussed if the citizens are being properly catered to, and whether "governance" practices are in any way linked to [supporting

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or countering] extremism. The title of this consultation meeting was “Constitution, Citizenship and Governance.”

This was the fifth in a series of 10 planned meetings on CVE. Below are details of the four meetings held earlier:

- The first working group, which met on March 20, 2017, deliberated about the mechanism for shaping a religion-based narrative that counters those of extremists.
- The second group, which met on March 27, 2017, discussed the mechanism for reintegrating militants willing to shun violence and denounce *takfeer* (the practice of declaring fellow Muslims out of creed of Islam).
- The third group, meeting on April 3, 2017, pondered upon the need for a national dialogue to address critical politico-philosophical issues in the country, especially those producing extremism, and whether a revised social contract could provide answers.
- The fourth group, which met on April 10, 2017, discussed the implementing mechanism of National Action Plan, the country’s counter-terror plan announced in January 2015.

The themes of these working-group meetings are largely driven from the CVE model PIPS proposed in 2016. A group of scholars, experts, and practitioners had, in a series of meetings, brainstormed over different components of a Pakistan-specific CVE model, one of them about reintegrating and rehabilitating militants.



Among the proposed suggestions were to brainstorm how the government reforms its own service delivery especially by invoking equality among all citizens, in balking citizens from falling for extremist mindset. The fifth working group discussed these issues.

Key considerations

- Members of the group debated if the constitution accords ***equality to all citizens*** in all fields of life. Even if concept of equal citizenship is enshrined to some extent in the constitution, it is often missing in many spheres in practices, they noted.

The group discussed how some people like religious minorities are accorded or denied the same constitutional rights as others. Similarly, some areas like the tribal areas are defined as special territories with their own codes to the denial of basic human rights. This denial of normal citizenship was termed as “exclusion” of a group of people or their area.

The group was told that the third working group had earlier reposed its trust in the constitution as the unanimously-approved social contract, but suggested that any changes made in the constitution shall be made through the process detailed in the constitution. (See PIPS’s third policy brief, “*National Dialogue and Social Contract*”, April 2017).

- The group observed that ***exclusion*** is at the heart of violent extremism.

On the one hand, violent extremists thrive in areas that are excluded from national mainstream; on the other hand, violent extremists hit those who are themselves excluded, or feel excluded and alienated.

For one, religious minorities are among those targeted mostly severely by violent extremists. They have long been denied their rights. Violent extremists, product of the same milieu, go a step further by targeting minorities physically.

Members lamented that religious minorities are not treated as normal Pakistanis, resulting into less sympathy for them. Education system in particular was blamed, which in itself made stereotypical assumptions about minorities.

Participants argued that the second-rated [citizenship] status accorded to non-Muslims is an outcome of our difficulty to grasp with our own sense of nationhood. Even though we have been part of South Asia, we tried to locate our identity away from this region, mainly on the basis of religious-ideological associations, one said. Another argued we could not understand whether the founders wanted Pakistan to become a Muslim-majority state or whether they

wanted a state to have Islam as its faith. The issue from the latter is the difference of opinion over how Islam is to be imposed in the country.

Similarly, viewed from another angle, violent extremists are able to find their space through excluded areas, where normal application of law is missing. Federally-Administered Tribal Areas (FATA), with its distinct administrative code, is one such example. The residents of the area are denied basic human rights.

Today, areas like Balochistan's B-Areas and southern Punjab are also "excluded" in the way that these are considered remote and distant from the power centers. All these provide ideological and physical havens to militants.

- The group also debated to what extent is ***service delivery by the state*** – governance – responsible for feeding extremism.

It is popularly assumed that extremists raise guns against the state out of their frustration from the state for not taking care of them properly. There is considerable debate over whether ill-governance, poverty, and illiteracy produce extremism, and how.

Members too debated the point. One said it is too simplistic to say lack of governance is responsible for extremism, asking, if that were so, why are extremists not produced in many African countries?

The group, however, understood the indirect relation between governance and extremism. Lack of good governance, several insinuated, means lack of proper machinery to check the rise of militant groups; ill-governance provides enabling environment. Because of ill-governance, no one asks for the weapons that end up in the hands of the extremists, one said.

Those regions where militants thrive like tribal areas are excluded from the national mainstream as well as lack services. Denial of basic services and development to these "remote" areas carried legacy of the British rulers, who saw them as their distant strategic outposts. Pakistan continued with that tradition, leaving the elite with extravagant entitlements, and the ruled yearning for their basic services.

Specifically, members noted ***robust criminal justice system*** is key to peel off militant recruitment. Surely, a strengthened justice system will help prosecute militants, a point also highlighted in the National Action Plan.

But more than that, a responsive criminal justice system, especially at lower level, will help deter criminals in the first place, many of whom are then radicalized by militants. Similarly, a well-to-do justice system will deny extremists the justification militants often invoke, in their attempts to attract people. Establishing parallel judicial system is one of the first acts of any rising militant group, whether or not the group has any parallel model to establish.

Members stressed upon the critical role of policing and judiciary. Across the country, they noted, it is at the police station or lower judiciary where a common man deals with the state; the extent to which his complaint is being heard and pursued defines his relation with the state. Instead of delivering justice to all, the state has, at times, even framed poor citizens for terrorists. In Islamabad, some slum residents, upon not vacating their settlements, were charged under the anti-terrorist code, one said.

Mind-mapping:

Below is the table mapped from participants thoughts, reflecting how extremism appears in different form in the context of the theme:

	Different attributes behind extremism in the context of the theme	Specific category of theme
1.	Marginalized groups/Exploitation of marginalized groups or their areas <ul style="list-style-type: none"> • Religious minorities as vulnerable group at the hands of militants • Areas like FATA left ungoverned 	Constitution, Citizenship Governance
2.	British colonial legacy, which set difference between rulers and the ruled	Governance
3.	Is Pakistan an inclusive or exclusive state?	Governance, citizenship, Constitution
4.	Ruling elite and their ideas in the early days of Pakistan, struggling with the role of Islam in state affairs	Citizenship, Constitution
5.	Lack of uniformity of treatment of citizens, in regions like FATA and at local level in police stations	Citizenship, Constitution, Governance
6.	The escape from South Asia identity	Citizenship, Constitution
7.	Hostile relations with neighbouring countries	Governance, Constitution, Citizenship
8.	Intellectual deprivation, emanating from failure of education	Governance
9.	Failure of civilian institutions like parliament, political parties, criminal justice system	Governance, Constitution
10.	Distorted understanding of historical events	Citizenship, Constitution
11.	Unequal service delivery and rule of law	Governance

Recommendations

- The framework of citizenship which accepts all Pakistanis, irrespective of their faiths and ethnicities, shall be promoted. This framework will automatically help in embracing minorities, otherwise pushed to the sidelines.
 - Gestures like acknowledging the contribution of non-Muslims in Pakistan shall be undertaken.
- Education leading to “social apartheid” should be abolished immediately.
- A dedicated center be established and supported that studies the militant ideologies justifying terrorist attacks in Pakistan as well as response options.
- Efforts should be made of teaching courses on “citizenship” at different levels.
- A dedicated TV channel streaming parliament’s sessions shall be launched.
- The special statuses of areas like FATA, Balochistan’s B-Area, and Gilgit-Baltistan, shall be abolished.
- The government shall invest in reviving lower policing system, prison centres, and lower judiciary.
 - Procedural overhauls be carried out while reforming criminal justice system, especially with regards to collecting evidence.
 - The anti-terrorism codes should be revisited to avoid loopholes.

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