

MUSHARRAF, IMRAN KHAN AND AND ENLIGHTENED MODERATION

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ABSTRACT

In 2003 at the Organization of Islamic Countries (IOC) meet in Malaysia, the then President of Pakistan General Pervez Musharraf propagated the doctrine of 'enlightened moderation. The doctrine as evidently suggests peace and moderation in thoughts and actions, found no real space in Pakistan's political and ideological landscape during Musharraf's regime. The Paper argues that Musharraf was propagating the doctrine only to gain international legitimacy. He otherwise continued the previous line of doublespeak on international terror externally and belittling the political opponents by using the political machinery internally. Also, there is an attempt, in brief, to highlight the Tehrik-e-Insaf party chairman and the current PM of Pakistan, Imran Khan's stance on the doctrine over more than two and half decades.

KEYWORDS: Musharraf, Pakistan, Enlightened Moderation, Imran Khan.

INTRODUCTION

'Enlightened Moderation' was one among many dimensions of Musharraf's policies that seemed more for gaining international legitimacy than bringing about any real change. At the 10th Organization of Islamic Countries in Malaysia on October 17, 2003, Musharraf made a speech to enunciate his doctrine of 'enlightened moderation. Some lines from the text of his speech are worth mentioning here: "The Islamic world is in the vortex of this emerging global crisis. Most of those under foreign occupation are Muslim peoples. Witness the tragedies of Palestine and Kashmir...Muslims are subjected to discrimination and exclusion. The insidious thesis of an inevitable clash of civilizations – between Islam and the West – is being openly pronounced. The question that arises is: should we adopt a confrontationist militant course?... I am afraid this will only play into the hands of those who desire a clash of civilizations and to our detriment. We must recognize that unfortunately, the crisis confronting the Islamic world is not only external. It is also internal...It flows from our economic, social and human underdevelopment, from our dependencies and vulnerabilities; from the divisions and the differences within and amongst our societies and states...Increasingly our image is being shaped by the extremist actions of a tiny minority that exist on the fringes of Muslim societies...Their actions equip our detractors to demonise Muslims and project Islam as a religion of violence...

After considerable reflection, I have, in all humility, suggested a two-pronged strategy to advance the internal and external aspirations of the Islamic world, I call this strategy:

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"Enlightened Moderation" (Text of the Speech of President General Pervez Musharraf at OIC 2003).

In the News Paper Washington Post in 2004, Musharraf explained the aspects of the term coined by him. The strategy of 'enlightened moderation, he pronounced, had two prongs: one the internal; the other being external. Internal aspect required, as he outlined in his speech at OIC and many more forums and write-ups, the judicious handling of internal problems of Muslim societies, like underdevelopment, poverty, intellectual impoverishment and schisms within. Externally, it called upon the West to help Muslim nations solve the political problems and assist them in securing socio-economic development. The conflicts besieging the Muslims like in Palestine, Iraq, Afghanistan and Kashmir were to be secured solutions of, mediated by the international community, he maintained, to set off the anger among Muslims (Musharraf 2004).

A DOCTRINE OR ONLY A POLITICAL GIMMICK: AN ANALYTICAL EXAMINATION

The strategy of 'enlightened moderation' as enunciated by him and talked over all-around needs analytical examination. Musharraf seemed to have building ground for pronouncing this strategy quite before his OIC address of 2003, even though the actual pronouncement had to come in the circumstances following 9/11. After assuming power through a coup on October 12, 1999, in his first public appearance with his family, he appeared with a dog and his wife wore a *saree*, although both are considered un-Islamic, to suggest his liberal personality traits. In his first televised address to the nation, he proclaimed that he emulated liberal Muslim leader Kamal Ataturk of Turkey (Rediff.com). In the

speech, he pledged to not let sham democracy be experienced in Pakistan as was the case when he assumed office (Thompson 1999). On 15 August 2001, he cracked down upon Islamic activists, banned Sipah-e-Mohammad and Lashkar-e-Jhangvi – the two sectarian organizations -, put Tehrik-e-Jafaria Pakistan [TJP] and Sipah-e-Sahaba Pakistan [SSP] under observation and arrested 300 Sipah-e-Mohammad party workers; his officers, however, were unable to act with equal intensity against Lashkar-e-Jhangvi, the Sunni sectarian organization (BBC News 2001). In a speech in 2002, he emphasized: “views expressed with maturity and moderation have greater convincing power. Expressing views in a threatening manner does not create any positive effect and anyone who indulges in hollow threats is taken as an unbalanced person by the world at large...I would request that we should stop interfering in the affairs of others” (New York Times 2002).

Yet, in the same speech, he says Pakistan will never budge an inch on the Kashmir issue and called upon the international community especially the US to play an active role in Kashmir (New York Times 2002). Despite his ban, LeJ remained active. After the attack on the Indian Parliament in December 2001 and the investigations showing the role of Jaish-e-Mohammad [JeM] and Lashkar-e-Taiba [LeT], President Musharraf banned the two organizations under US pressure on January 22, 2002. He, however, made the ban order apply only to Punjab, Sindh, Baluchistan and NWFP and not to FATA and Pakistan Occupied Kashmir [POK] and the Northern Areas of Gilgit and Baltistan (Raman 2003). The terrorist leaders like Hafeez Mohammad Saeed [LeT] and Maulana Masood Azhar [JeM] were houses arrested, their offices sealed and bank accounts closed. Both the extremist groups are known for their anti-India terrorist activities. However, they were released within weeks as courts in Pakistan felt they were involved in “freedom struggles” and not the acts of terrorism (Raman 2003). He also banned Sipah-e-Sahaba Pakistan [SSP] and Tehrik-e-Jafaria Pakistan [TJP] (Raman 2003) on 29th January 2002 (Gishkori 2015). The banned organizations, however, started operating with different names to circumvent the ban [LeT as Jamaat-ud-Dawa or Jed; TJP as Islami Tehrik-e-Pakistan or ITeP or ITP; SSP as Millat-e-Islamia Pakistan or MeIP or MIP and JeM as Khuddam-e-Islam or KeI] (Raman 2003). The arrested cadres would not get released when they were found involved in acts of terrorism against Pakistan. There was another turnaround, however. When the 2002 General Elections were announced, the Musharraf regime dropped all cases under the Anti-Terrorism Act against some leaders to make them work as bulwarks against the established parties, PPP and PML [N]. Maulana Azam Tariq of SSP, who was facing terrorist charges in six cases, got elected to the National Assembly; TJP and JAH became part of MMA (Raman 2003).

Nazm Sethi, the renowned journalist wrote in Friday Times editorial: “General Musharraf has reined in the jihadis. But he has made no move to disband them. General Musharraf has abandoned the Taliban in Afghanistan. But he has not cracked down on them in Pakistan. More significantly, General Musharraf is still putting his faith in a rotten political alliance with the mullahs instead of the anti-mullah mainstream parties and the leaders who are natural political votaries of ‘enlightened moderation’” (Sethi 2004).

Pervez Hoodbhoy in an article published in Economic and Political Weekly [EPW], India and the Friday Times, Pakistan simultaneously wrote as to how Musharraf sidelined the suggestions of moderate scholars suggesting to be paying only lip service to his policy of ‘enlightened moderation. Javed Ghamdi, the moderate Islamic scholar suggested formal Islamic education to be given to children in Pakistan only from grade 5 to keep the innocent children away from becoming rigid and doctrinaire. Musharraf’s New Education Policy 2006, however, required Islamic Studies to begin in the third year of school, a year earlier than in the previous education policy (Hoodbhoy 2006). Musharraf’s Ministers seemed even less interested in prophecies of ‘enlightened moderation. The then, federal Minister for Religious Affairs, on the launch of a book *Christian Terrorism and the Muslim World*, by a leading Islamic Extremist leader argued, that anyone not believing in jihad was neither Muslim nor a Pakistani; the then Health Minister assured the Upper House Senate that the government could consider banning female nurses attending male patients in hospitals (Hoodbhoy 2006). The Islamic leaders, on whom Musharraf was depending upon for his political survival, stopped the male medical students upon digging out injured girl students from under the rubble of their school building during the devastating October 2005 earthquake in Pakistan and let them die to execute their policy of gender segregation (Hoodbhoy 2006).

The above instances were just a few of many more reported and unreported as well as the terrorist/extremist violence being on run in the Pakistani society along religious/sectarian lines. According to Pew Global Research Survey (2006), the percentage of Pakistanis who expressed confidence in Osama bin Laden as a world leader rose to 51 in 2005 from 45 in 2003 (Hoodbhoy 2006).

The reforms in the laws concerning women, viz., reservation of seats for women or Women’s Protection Bill, 2006, were part of his policy of enlightened moderation. Yet, Musharraf showed no moderation when he accused the rape survivor, Mukhtaran Mai, like the one crying ‘rape’ like many more women in Pakistan to gain visa/asylum to destinations like Canada and using their situation to make money (BBC News 2005). Also, the degree to which women observed *hijab*

was never in the history of independent Pakistan (Zia 2009: 226). As the Islamic parties gained political prominence during his regime, the women's movement in Pakistan saw a split for the first time across religious lines: the right-wing women's movement withdrew from the earlier consensus that discriminatory *Zina* Ordinance contravened the Quranic understanding of adultery and hence needed to be repealed altogether in an Islamic State; the right-wing movement actively campaigned in opposition to the repeal or even reform in this law (Zia 2009: 226). Masooda Bano in an article reprimanded Musharraf for his over keenness to sell his vision of 'enlightened moderation far and across on behalf of all Muslim nations. She criticized him vehemently for denigrating the Muslims as poor and the pettiest in the world and accepting the supremacy of the Western world by giving them the role of facilitators of 'enlightened moderation' (Bano 2004).

Musharraf's credentials as a moderate leader could not have been of any serious substance considering that Musharraf, the then Army Chief, was the brain behind the Indo-Pak conflict in Kargil in 1999. That he had not turned out to be either enlightened or moderate during his regime as the President of Pakistan can be concluded with conviction by going through his statement made years after he quit from at the helm of affairs 'he loves both JuD and LeT' (Economic Times: 2018). "The Lashkar-e-Taiba (LeT) and Jamaat-ud Dawa (JuD) are fond of me" (Economic Times 2018). He called himself the biggest supporter of Lashkar and Hafeez Saeed (NDTV 2017). On recent Pulwama attacks, Musharraf reluctantly admitted Jaish's involvement but denied the Imran Khan regime's direct involvement in it. He rather blamed India for "wrongly accusing Pakistan over everything" (India Today 2019).

Musharraf toppled Nawaz Sharif, the then Prime Minister of Pakistan in a coup to capture the power and thereafter used his political machinery to crush the latter's political career in the best possible ways. In the name of setting the 'basic democracy', he disallowed the elections on a party basis in local politics. His devolution of Power Plan 2000 was criticized for his tacit attempt at discounting the disadvantage that his party PML(Q), lacking a popular base at the local level would have faced, had he continued with elections based on political parties. International Crisis Group (ICG) quoted a PML (Q) leader saying, "We can then be safe for two years. We are in no position to fight the elections on party basis" (ICG 2005: 9).

Just after the military coup, General Musharraf declared a state of emergency, suspended the Constitution and promulgated the Provisional Constitutional Order [PCO] by which he declared himself to be the Chief Executive. In the way to the facilitation of democracy, he set out at curtailing

the powers of the judiciary; required the judges of Supreme Court and High Courts to take fresh Oath of Office under PCO. The judges who refused to take the oath, including the Chief Justice were removed from office (Human Rights Watch 1999). The reconstituted Supreme Court judges validated the military coup of Musharraf on the ground of "state of necessity" and set a three-year time limit within which democracy was to be restored (Human Rights Watch 1999). In November 1999, he promulgated National Accountability Ordinance, replacing the earlier accountability Ordinance with the name Ehtesab (Accountability) Ordinance of Mr Nawaz Sharif (HRW 1999). Musharraf's Ordinance intended to combine the powers of arrests, investigation and prosecution in one single institution – the National Accountability Bureau [NAB]. Ninety-day detention as against fifteen days permissible under Pakistan Criminal Procedure Code [PCrPC]; unavailability of bail by civil courts, giving the power of the release of the detainee to the NAB; creation of special accountability courts; the denial of any political office for 21 years to those convicted by NAB; placing the burden of proof on the defendants [provision added by amending accountability ordinance in February 2000]; keeping the serving judges and senior officers of armed forces outside the purview of the Ordinance as a matter of policy were the important features of Accountability Ordinance of 1999 (HRW 1999). The purported objective of the Ordinance was said to be arresting corruption and fixing accountability; however, Human Rights Watch report October 2000, mentioned the cases which pointed towards the misuse of the Ordinance by trying political opponents in a way that denied the due process of law.

Musharraf also promulgated Political Parties Order (Chief Executive's Order No. 18 of 2002) 2002 (Ministry of Law, Justice, Human Rights and Parliamentary Affairs, GOP 2002). The Political Parties Order required the political parties to not only hold the intra-party elections and submit the report thereof within seven days of such election [every political party was required to complete the intra-party elections up to 5th August 2002], if desirous of taking part in general elections 2002 but also submit to the Election Commission of Pakistan, the Consolidated Statement of Accounts describing the expenses, sources of funding and other relevant financial information [Chief Executive's Order No. 18 of 2002] (Ministry of Law, Justice, Human Rights and Parliamentary Affairs, GOP 2002). On July 6, 2002, Musharraf issued Qualifications to Hold Public Offices Order, 2002, whereby, he barred any person having completed two terms in the office as Prime Minister or the Chief Minister of a province or a combination of such offices for two terms, irrespective of whether any one of the two or both the terms of office were completed or not (Government of Pakistan, Chief Executive's Order No. 19: 2002). On August 14, 2001,

he issued the Conduct of General Elections Order 2002 (Government of Pakistan, Chief Executive's Order No. 7 2002). The Order put the qualification required for being a member of the National Assembly or a Provincial Assembly as at least a graduate degree. The urgency of such Ordinances was more to block the chances of his rivals PPP and PML [N] than any effective political/electoral reforms. For example, the Qualifications to Hold Public Offices Order was to dismiss the chances of Nawaz Sharif and Benazir Bhutto for the office of the prime minister; Political Parties Order 2002 which barred anyone convicted of a crime, charged with a crime but failing to appear before the court, to contest elections or even run for the party posts (ICG 2005: 6). Similarly, while his Conduct of General Elections Order 2002 required a graduate degree recognized by UGC, it extended equivalence to Madrassa degrees to benefit Islamic parties (ICG 2005: 6).

Musharraf's Legal Framework Order 2002 got Article 58(2)(b) [repealed by Mr Nawaz Sharif through 13th Amendment], revived which gave powers to the President to dissolve the National Assembly if the government was not being run by the Constitution (Supreme Court Of Pakistan 2002: 5). Article 270AA was added to validate the proclamation of emergency, Provisional Constitutional Order No.1 of 1999, the Oath of Office (Judges) Order 2000 (No.1 of 2000), the Referendum Order, 2002 (Chief Executive's Order No. 12 of 2002), and, all other laws made between 12 October 1999 and the date of coming into force of Article 270AA (Government of Pakistan, Chief Executive's Order No. 24 2002). A striking feature of LFO 2002 was that Pakistan virtually abandoned the Parliamentary democracy to embrace the Presidential system (storyofpakistan.com).

In the backdrop of Legal Framework Order, General Elections 2002 were held which the military regime of General Musharraf rigged in favour of PML-Q and six-party Islamic alliance of Muttahida-Majlis-e-Amal [MMA] but still could not secure the required majority (ICG 2005: 7-8). The PML-Q, a dissident faction of PML [Nawaz] which supported Musharraf obtained 77 seats out of 342 seats in the National Assembly; the PPP of Benazir Bhutto received 63; MMA got 45, while PML [Nawaz] obtained 14 seats (ipu.org). The European Union observers' report described the elections as "seriously flawed" because of the "misuse of state resources to fund some parties and also because of the amendments to the Constitution introduced by decree in August 2002 giving him new and broader powers" (ipu.org). The parties opposed to Musharraf refused to take oath under the provisions of LFO and hence an impasse started in the National assembly, until December 2002 when an alliance of MMA and PML-Q led to the passage of the 17th Constitutional Amendment leading to LFO 2002 being incorporated in the Amendment (International Bar Association 2009: 23). The alliance was

forged on the condition by MMA that Musharraf shall relinquish the post of Chief of the Army Staff by the end of 2004; he, however, reneged on the promise and continued to hold both the offices (International Bar Association 2009: 23) until November 27, 2007, before being appointed as [civilian] President for the second time, for there was a complaint filed in the Supreme Court that a military man could not be serving as the elected Head of the State (Wilkinson 2007). Later the events leading to lawyers' agitation against him led to a state of emergency declared by him and the setting up of Provisional Constitutional Order 2007.

With Pakistan facing the gravest ever internal security crisis, and Musharraf's military measures failing, the militant landscape of Pakistan also saw spreading its tentacles from the border regions to other areas including the cities. Also, Musharraf came into a tussle with the Supreme Court especially with the then Chief Justice of Supreme Court, Justice Iftikhar Chaudhary. President Musharraf declared the state of emergency on November 3, 2007, justifying it on the ground of "an unprecedented level of violent intensity posing a grave threat to the life and property of citizens of Pakistan" (Shaikh 2011: 7). Musharraf blamed the judiciary for forcing his hands for proclaiming an emergency as the Supreme Court was creating hurdles in the way of creating a civilian rule (Shaikh 2011: 7). Musharraf suspended the Constitution; dismissed Chief Justice Iftikhar Mohammad Chaudhary (Human Rights Watch 2008: 305); promulgated the Provisional Constitutional Order 2007 and Oath of Offices (Judges) order 2007 (Shaikh 2011: 7). Many of the judges refused to take oath under the new Order and hence they were removed from office; only five of 17 Supreme Court judges took oath under PCO 2007 (Amnesty International 2008: 4). It allowed the President to amend the constitution as he liked and prohibited the courts to take any measures against the government (Amnesty International 2008). In this context, Musharraf relied on Ordinance LXVI 2007 to amend the Pakistan Army Act 1952 to institutionalize the military's power even after return to civilian rule. The Ordinance empowered the military to try civilians for a wide range of offences that were previously under the jurisdiction of the civilian judiciary (Human Rights Watch 2008). The Ordinance read: "any offence if committed about defence or security of Pakistan or any part thereof or Armed Forces of Pakistan, punishable under the Explosive Substances Act, 1908 (VI of 1908), Prejudicial conduct under the Security of Pakistan Act, 1952 (XXXV of 1952), the Pakistan Arms Ordinance, 1965. (W.P. Ordinance X of 1965), the Prevention of Anti-National Activities Act, 1974 (VII of 1974) or Anti-terrorism act, 1997 (XVII of 1997), Sections 109, 117, 120B, 121, 121A, 122, 123, 123A, 124, 124A, 148, 302, 353, and 505 of the Pakistan Penal Code, or attempt to commit any of the said offences" (Business Recorder 2007). What's more,

the Ordinance was brought with retrospective effect from 2003 (Human Rights Watch 2008). This meant, that the civilians charged since January 2003 could be tried by military courts after the Ordinance (Shaikh 2011: 7). Also, it allowed the army to decriminalize all its illegal detentions and abuses since 2003 (Shaikh 2011: 8). The main problem with the then Chief Justice, Justice Iftikhar Chaudhary was said to be the cases of enquiry on some 400 unaccounted disappearances (Shaikh 2011: 8).

In brief Musharraf's 'enlightened moderation' neither had an enlightening nor moderating influence upon him. He was being guided by the political exigencies of survival. Being a dictator, his survival tactics were ruthless to the core. The doctrinaire approach of his regime largely went antithetical to the doctrine of 'enlightened moderation'. He, however, was selling it only for an international audience mainly the US.

ENLIGHTENED MODERATION AND IMRAN KHAN

In 2006, Imran Khan, when General Musharraf was at the helm in Pakistan, said of enlightened moderation that General Musharraf was merely playing with words with new slogans and that the militant coup which brought the latter to power contradicted democratic values-something that is an essential part of enlightened moderations (Radio Free Europe 2006). In January 2021, Imran Khan as Prime Minister said, Pakistan should not fall into trap of portraying a soft image internationally as it is the compulsion of weak states only. "When a nation loses its confidence it tries to please people" (Outlook 2021).

Pakistan premier Imran Khan in November 2021 gave his permission for the removal of Tehrik-e-Labbaik Pakistan (TLP) from the list of banned outfits in Pakistan (PTI 2021). Eventually, he fell to the pressures of extremist groups and hardline elements. His move is said to be directly linked to pleasing Labbaik in particular and hardline Islamists in general to end anti-government agitations. TLP was declared a banned outfit in April 2021 as it teased the Imran Khan government and forced it down to expel the French Ambassador over the issue of publication of cartoons in France, which the group found to be blasphemous. The *Diplomat* correspondent, based in Lahore opines that there is a race going on in Pakistan between government and extremist groups to capture extremist territory (Jamal 2021).

CONCLUSION

Musharraf's doctrine of 'enlightened moderation' was marred by double standards. On the one hand, he was espousing moderation, on the other; even the slightest criticism of his policies was not welcome to him. Musharraf's power psychology like that of any dictator would prevent him from seriously swearing by democratic and moderate actions.

He, however, was always eager to use national and international media to keep the doctrine in the limelight to snatch every opportunity of being called an international leader and a modernist statesman. In the same vein, Tehrik-e-Insaf party chairman and the current PM Imran Khan's stance on the doctrine has been favourable, neither in theory nor in practice. Imran Khan never swears by it.

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