Editorial Note

Counter-Terrorism: Need for Best Policies and Practices

We are pleased to release Volume 7, Issue 5 (June 2015) of the Counter Terrorist Trends and Analysis (CTTA) at www.rsis.edu.sg/research/icpvtr/ctta (ISSN 2382-6444) by the International Centre for Political Violence and Terrorism Research at the S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University (NTU), Singapore.

In practice, counter-terrorism is laden with multiple complexities – operational, political and moral – involving as it does, state and non-state actors, cross border operations and affecting governments and non-combatants alike. In this fight, therefore, the important issues that need serious policy as well as academic focus includes understanding, inter alia, the threat (and hence the adversary), the roots of violence, the need for appropriate counter-terrorism legal instruments and a balance between state authority and individual rights and liberties. The four articles in this issue highlight the importance of these aspects in improving contemporary counter-terrorism strategy and practice.

Jeff Sole highlights the loopholes in the immigration and refugee determination system of Canada, which continue to be exploited by extremists and terrorists. In support of his argument, Sole includes several case studies, including that of Ahmed Ressam, the Islamist extremist who came to be known as the 'millennium bomber' and Fateh Kamel, head of the Algerian-based Armed Islamic Group (AIG), who had entered Canada as asylum seekers.

In a case study, **T. K. Singh** argues that the alleged 'terror boat' incident of 1 January 2015 not only revealed the continued seaborne threat to India, but also the need for national consensus and inter-agency cooperation in pursuing counter-terrorism policies.

James D. Templin looks at one of the roots of violence at present – the fundamentalist *madaris* or madrassas (Islamic religious schools) in Pakistan, especially of the Deobandi religious subsect, in their potential for continued radicalisation of students. He recommends that the secularisation of these schools is not the answer, but rather the implementation of policies that offer high quality and holistic religious education with the support of the community.

Syed Sami Raza discusses Pakistan's recent lifting of the six-year long moratorium on the death sentence subsequent to the December 2014 terrorist attack on the Peshawar school with respect to the local political scene in Pakistan and the country's criminal justice system. He also highlights the importance of active political and public debate in determining the extent of a state's necropower (a state's sovereign power in deciding who lives and who dies) in the fight against terrorism.

Under the Microscope: Abuse of Canada's Immigration and Refugee Determination System

Jeff Sole

Canada's immigration and refugee determination system has been under scrutiny due to the ease at which persons with security risks, including criminals and terrorists, have been able to exploit loopholes, not only to enter the country but also to resist and evade deportation. As the very tools designed to uphold Canada's attempt to protect the rights and freedoms of all those that enter the country are being misused, a critical assessment of the Canadian immigration system is put forth in this article with supportive case studies.

Legal Protections for Refugees in Canada

In Canada's liberal democracy, human rights are fundamental to refugee protection. Under Section 7 of the Charter of Rights and Freedoms (a bill of rights entrenched in the Constitution of Canada), anyone physically in Canada, regardless of citizenship status, receives Charter protection. Further to this, Canada is party to the United Nations Convention Relating to the Status of Refugees (1951), a multilateral treaty, which provides a safety net to individuals in the event that their country of origin failed to meet the most basic protective responsibilities to its citizens (Canefe 2010, 174-210). How ever necessary these legal protections are, there are a number of abuses and illegal activities that can stem from their indiscriminate application. In Canada, doing the morally 'right thing' of providing a universal safety net for refugees has led to the systemic abuse of the very tools designed to provide shelter from home country persecution, by individuals wishing to use them as a means of evading host country prosecution.

The right to due process in the Canadian legal system also prevents the expedient removal of such an individual even when the government recognises the individual as a threat to public safety. Indeed, this has proven to be a convenient avenue for individuals determined to remain in Canada despite the government's desire to remove them. Additionally, the federal government cannot deport even a known terrorist from Canada if the risk of torture is claimed under the 1951 Convention, since this would violate the individual's constitutional guarantee of life, liberty and security under Canada's Charter of Rights and Freedoms (Collacott 2006). Martin Collacott (2006) argues that, "The refugee system has to date been the channel most frequently used by terrorists to both gain entry to Canada, and to avoid removal once they are here" (Collacott 2006, 27).

Canada's Extended Refugee System

The extended refugee system is used to transition refugees from the status of irregular migrant to resident, and it serves as a "web of entry, determination, appeal and removal institutions tasked with processing those who make a refugee claim in Canada" (Gallagher 2008, 53). Canada has stretched the definition of 'refugee' beyond the original intentions of the U.N. on which the refugee system is based. Such expansive inclusion criteria of who should be accepted as a refugee places it well beyond the parameters by which other countries regard someone as a genuine refugee (Collacott 2006).

With the institutionalisation of the Multiculturalism Act in 1988 – initially viewed as a remedy to the declining birth rate and labour shortages in an aging population (Kruger, Mulder and Korenic 2004; Diplomat 2013) – it became exceedingly difficult to control unwanted immigration of individuals such as criminals or members and/or supporters of terrorist organisations who posed a threat to Canadian society. Stephen Gallagher (2008) asserts, "Compared to other countries, the unparalleled generosity of the Canadian extended refugee system, along with the absence of disincentives to abuse, makes it undeniably attractive to status-seeking irregular migrants, and clearly stimulates what is described in other countries as abuse and illegal immigration" (Gallagher 2008, 53). Canadian Federal Minister of Citizenship and Immigration, Chris Alexander, argues that, "Simply arriving on our shores and claiming hardships isn't good enough. This isn't a self-selection bonanza, or a

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social programme buffet" (Mas 2014).

Despite asylum reforms introduced in 2012 to reduce the amount of time claimants could spend in the country prior to determination of status, by 2014 Canada's rate of refugee acceptance had nearly bounced back to pre-reform levels of nearly 50 percent (Keung 2015). Canada's acceptance rate per capita is more than double that of the United States (Ozimek 2012). Daniel Stoffman (2008) argues that immigration levels are so high in Canada that it is simply not possible for immigration officers to adequately screen every newcomer. Therefore, based on volume alone, it is probable that some less desirable people could make their way through the system undetected. According to the Auditor General, the Canadian government simply lacks sufficient resources to thoroughly check 260,000 people per year, which includes individuals arriving from known terrorist-producing regions (Gallagher 2008, 53). According to Stoffman, "In 2006, [the Canadian Security Intelligence Service] told the Senate national security committee that about 20,000 people had come to Canada from the Pakistan-Afghanistan region since 2001, and that, because of a lack of resources, no security checks whatsoever had been done on 90 percent of them" (Stoffman 2008, 10; Bell 2007).

Reportedly, 95 percent of refugees are not detained upon arrival at Canadian ports of entry, effectively being granted permission to stay, and 80 percent arrive without travel documents, making it very difficult for immigration officials to manage their movements once admitted into the

country (Mas 2014; Rimsa 2011, 91-102; Adelman 2002, 10). Further, refugee status can be claimed upon arrival in Canada, and shortly thereafter the refugee claimant is entitled to medical benefits, social assistance and work permits. On the issue of providing healthcare to refugee claimants, Chris Alexander, called the system "a magnet for bogus asylum seekers" (Mas 2014). Alexander has called for a federal refugee policy reform to limit abuse by organised crime and unfounded claims, as well as to reduce the processing time of refugee claims to less than one year (Mas 2014) - currently the processing time may exceed 32 months (Rimsa 2011, 91-102).

Due Process

The Canadian judicial process prevents deportation without due process, giving refugee claimants ample time to disappear or start families to prevent deportation orders, should their claims be rejected. As of 2004, 200,000 illegal persons were living in Canada, many working in cash-based jobs in the informal sector and not paying employment taxes. In that same year, 36,000 persons including criminals and persons with security risks were ordered to be deported but had subsequently disappeared (Rimsa 2011, 91-102; Bissett 2012, 97-115). According to a 2008 House of Commons Immigration Committee report, anywhere between 80,000 and 500,000 people presently remain unaccounted for in Canada (Linklater 2008).

Of those who can be found, many simply do not leave. Instead, they file appeal after appeal, extending due process over years, and costing Canadian taxpayers millions of dollars in legal fees. A case in point, Manickavasagam Suresh, a leader and fundraiser in Canada for a front group of the Liberation Tigers of Tamil Eelam (LTTE) terrorist organisation (then based in Sri Lanka with an international network), was accepted as a Convention refugee in 1991, but later that year was deemed inadmissible for landing status on grounds of national security. He was arrested in 1995 as a threat to national security (Bell 2007), but never convicted. While being detained for deportation, he appealed to the Federal Court of Appeal and was released on bail in 1997. However, in 2000, the Court determined that under certain circumstances, it is permissible to deport such people, even as Article 33 of the 1951 U.N. Convention upholds the principle of non-refoulement, providing

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protection to refugees from being returned to a homeland under their claimed risk or threat of torture (Adelman 2002, 10). Subsequently, the case was referred to the Supreme Court of Canada, which upheld the decision to deport Manickavasagam Suresh, but as of 2009 he was still in Canada awaiting a hearing before the Immigration and Refugee Board to determine whether he could remain in the country (Adelman 2002, 10). His status since August 2014 cannot be obtained through open sources.

Perhaps even more shocking is what occurred in 2001 involving a police crackdown of gangs of ethnic minorities. During this time, 50 alleged gang members, all non-Canadian Tamils of Sri Lankan origin with criminal records, were arrested in Toronto and ordered to be deported to Sri Lanka. However, after two years, only two of these individuals had been deported from Canada. The others engaged in appeals through refugee lawyers, and 41 of them were back on the street within months. One individual, S. Kathiravelu, had been caught with an AK-47 rifle and a sawed-off shotgun that police believed were intended for a murder. The gang he was an alleged member of was responsible for murders, assaults, extortion and drug-trafficking. However, in the three years following his arrest, leading up to his refugee board hearing in 2004, S. Kathiravelu married and fathered a child. Consequently, his deportation order was cancelled on grounds that "his removal would cause undue hardship to his family" (Collacott 2006, 38).

Safe Haven?

A 2006 report by the Fraser Institute, *Canada's*

Inadequate Response to Terrorism: The Need for Policy Reform, noted 25 terrorists and terrorist suspects who had entered Canada as adults. Of them, 16 identified terrorists came as asylum seekers and four as immigrants (Collacott 2006, 38). The entry statuses of the remaining five are not known. Ahmed Ressam, an Islamist extremist who came to be known as the 'millennium bomber', was one of these 16 asylum seekers who had obtained Canadian citizenship. In December 1999, Ressam tried to drive across the border into the United States with a car full of explosives with the intention of blowing up Los Angeles International Airport (Bissett 2012, 97-115).

The 20 identified terrorists have since been arrested and convicted in other countries, but they were never charged in Canada. Fateh Kamel, head of the Algerian-based Armed Islamic Group (AIG) or Al Jamaah al Islamiyah al Musallaha terrorist cell in Montreal was also one of the 16 who had entered Canada as an asylum seeker after participating in jihadist operations in Afghanistan in 1987. He left Canada in the early 1990s, during which time he fought in Bosnia in 1995 and played a central role in the AIG attacks in France in 1994-1996. He was arrested and extradited from Jordan to France where he was tried for terrorism and sentenced to eight years in prison. After serving his sentence in France, Kamel returned to Canada in 2005. He was not charged as a terrorist in Canada, despite evidence that he led a group of radical AIG Islamists in Montreal, which included Ahmed Ressam, and that he stole money and identity documents to support the AIG's terrorist plans in France. In fact, Kamel filed papers with the federal court claiming that the Canadian government violated his Charter rights by denying his passport application on security grounds (Collacott 2006). In 2008, the Federal Court ruled that the passport application denial had infringed on his rights under the Charter. The Federal Court of Appeal set aside the ruling in 2009 based on national security concerns. Kamel then appealed to the Supreme Court of Canada, but the court declined to hear the case. He again applied for a passport in 2010 but was again refused. He then sought judicial review, which was again dismissed by the Federal Court of Appeal in 2013 (Collacott 2006). Today, Fateh Kamel's whereabouts in Canada are unknown.

Conclusion

Canadian immigration policy is undoubtedly

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flawed; the opportunities afforded to immigration seekers through the universal application of rights and freedoms have been abused by opportunistic actors, including those with criminal and terrorist backgrounds, trying to gain safe refuge and citizenship in the country. For the most part, this stems from the dichotomous view of Canada's immigration policy and refugee law between civil rights advocates recognising only the entitlements of the individual under Canadian law and the responsibility of the state to provide security to its citizens. In view of the abuses of the system as outlined above, there is a need for reforms to improve state security under an explicit policy of intolerance to abuse, whilst simultaneously upholding the Charter's protection of rights and freedoms. In achieving this, a re-examination of the interpretation of the Charter and the 1951 U.N. Convention to determine who should be legitimately entitled to privileges under the same is necessary.

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Another 'Terror Boat'? Challenges to India's Security

T. K. Singh

The January 2015 'terror boat' incident not only exposed India's continued vulnerability to seaborne terrorist attacks, but also lack of consensus on broad national security issues and the discontinuity in its counter-terrorism policies and practices. As this incident demonstrates, conflicting narratives, the politicisation of such issues and the turf war among diverse agencies, risk undermining India's response to terrorism in general, and cross-border terrorism in particular.

The 'Terror Boat'

On 31 December 2014, the Indian Coast Guard (ICG), acting on a tip-off provided by India's premier technical intelligence agency, the National Technical Research Organisation (NTRO), intercepted a suspicious Pakistani boat in Indian waters approximately 340km away from Porbandar, off the coast of the Indian state of Gujarat. Surveillance by a Dornier aircraft began at 9:30 am on 31 December 2014, which reportedly confirmed the suspicious activities aboard the boat. The interceptor ship of the ICG – NS Rajratan – encircled the boat at approximately 10:30 pm on the same day, by which time the crew of the boat had tried to escape and sail back to international waters. After a hot pursuit of about one and half hours, the ICG ship fired some warning shots, but the boat did not stop. Instead, as per the account of the ICG, the crew of the suspected boat set it on fire causing it to sink with the occupants (Press Trust of India 2015). According to unconfirmed reports, there were explosives on board which were determined by "spectroscopic analysis" (Gupta 2015).

It was claimed that the boat was traveling towards the Indian state of Gujarat from the Keti Bandar near Karachi, and that the intention of the occupants was to disrupt the 'Vibrant Gujarat Global Summit 2015' which was held in Gandhi Nagar, Gujarat from 11 to 13 January 2015 (Shishir 2015). Reports have also suggested that in December 2014, NTRO had received information that an attack was likely to be carried out by terrorists who had six months of marine commando training (India TV 2015).

Politics of National Security

India, with a coastline of 7,516 km, faces multiple maritime threats, including those from piracy, gun-running, illegal migration, drug-trafficking, vessel jacking, sabotage of off/onshore oil installations and hostage-taking and armed robbery. The use of the sea route by terrorists for infiltration, even after the revamping of the Indian coastal security following the November 2008 Mumbai attacks, has been of particular concern from a national security perspective. This threat came by the sea from Karachi, Pakistan. As revealed by Ajmal Kashab, the lone terrorist survivor of the Mumbai attack, he had completed a marine warfare course conducted by the Lashkhar-e-Taiba (LeT) in the 324 sq. km large Mangla Dam reservoir in Muzaffarabad, in Pakistani-Occupied Kashmir (Roul 2008).

While the January 2015 'terror boat' incident highlighted India's continued vulnerability to terrorism from the sea, it also exposed how political gamesmanship and the related media frenzy can put national security and counter-terrorism efforts at risk. This is evident from the cross-talks and rumour-mongering involving government agencies, members of political parties and some segments of the media. Petty politics and the turf war among concerned agencies risk not only undermining the response to terrorist threats at the policy-level, but also denting the professionalism of the concerned agencies– affecting the overall effectiveness of India's counter-terrorism efforts.

The official position, as stated by the Indian Defence Ministry, was that the boat was put on fire by the crew to evade interception and arrest: "The coastguard did not target the boat but the satellite phone-carrying terrorists…blew themselves up" (Sen 2015). India's Defence Minister stated that the men aboard the boat were "suspected terrorists...mainly because they committed suicide," as smugglers would not have

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killed themselves when challenged. Besides, the location of interception was an isolated area of the sea, very much outside the route used by ordinary fishermen and smugglers – the smugglers to avoid detection by mingling with normal maritime traffic (Sen 2015). In essence, the government claimed that the Indian Coast Guard (ICG) operation averted what could have been a repeat of the November 2008 Mumbai attacks.

On the other hand, statements from Indian National Congress functionaries – the party which was in power from May 2004 until May 2014, challenged the entire operation claiming that the crew might have been ordinary fishermen or odd smugglers and demanded the release of NTRO radio interceptions and video recordings of the ICG encounter with the boat (Sanyal 2015).

A number of analyses also put the government response as one of disproportionate force claiming those on board could have been small-time liquor and diesel smugglers and that the boat could not have been capable of outrunning interception by the ICG. Countering the argument that the occupants of the 'terror boat' could have been petty criminals or smugglers, some analysts argued that if a consignment of liquor or diesel was to be delivered to the Keti Bandar Port, then the boat had no reason to cross over to the Indian maritime territory and be on a route used by LeT elements in the 26 November 2011 Mumbai attacks (Swami 2015).

A number of Indian government agencies claimed that the intelligence provided by NTRO had "no link to terrorism, and made no reference to any threat to India" (Swami 2015). Agencies like the Intelligence Bureau (IB), the Research and Analysis Wing (RAW), and the Border

Security Force (BSF), expressed anguish over the fact that the NTRO assessment was not shared with them. The security agencies of the states of Gujarat and Maharashtra also expressed the same, as they also have interception and interdiction capabilities (Swami 2015).

Complicating the entire issue, on 18 February 2015, B.K. Loshali, Deputy Inspector General (DIG) of the ICG stated (as part of an official lecture) that the boat was blown-up by the ICG on his order (Saiyed 2015). Loshali's statement that it was the ICG that destroyed the boat was categorically rejected by the Indian government stating that Loshali's statement was baseless as a DIG-level officer would not have had the authority to make such a call in a sensitive operation with international ramifications (Asian News International 2015). However, Loshali's remark was caught on camera and widely circulated in the open domain. Later Lashali clarified that he was quoted "out of context" (Gaikwad 2015). The ICG also claimed that the commanding officer of the coastguard ship, Rajratan, did not receive any communication from Loshali during the operation and that it was the crew of the suspected boat that put themselves and the boat on fire. The ICG also served show-cause notice to Loshali, and found that his explanation was "unsatisfactory and instituted a board of inquiry to investigate the details and establish the facts" (Zee Media Bureau 2015).

Though there was no official statement or rebuttal by Pakistan earlier on the incident, these cross-talks and finger-pointing were used by Islamabad to put India's claim with regard to terrorism and Pakistani involvement in the incident as "baseless and preposterous" (Haider 2015). In a statement Tasneem Aslam of Pakistan's Ministry of Foreign Affairs asserted that despite the media hype, the incident was a "hoax and an embarrassment to India" (Ali 2015).

Turf War

With regard to the point raised by the media that the National Technical Research Organisation (NTRO) breached the mandate of sharing intelligence with the IB and RAW, among others, it was argued that the NTRO functions under the National Security Advisor (NSA), the chief executive of the National Security Council (NSC) of India (Sandeep 2007), and can therefore pass relevant information based on the real-time

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threat to agencies directly concerned – in this instance, the ICG or Navy. NTRO also clarified that it did not alert the IB or RAW as it was not a confirmed terrorist issue, although "suspect activities" were involved: excerpts of the NTRO report released to the public had no reference to "terrorism" or the presence of "explosives" on the boat (Baweja 2015).

However, as Major-General (retired) Vinay Kumar Singh, put it, NTRO does not have exclusive control in this, as several other agencies like RAW and IB continue to maintain their communications and signals intelligence (COMINT and SIGNIT) assets. This is another instance of duplication efforts and wasteful expenditure (Unnithan 2007). In other words, threats to the country notwithstanding, agencies continue to guard their turf, resulting in the lack of coordination and ineffective response to terrorism.

Conclusion: A Case for NCTC

Since it was established in 2004, NTRO has been involved in monitoring telecommunications, cyber traffic, remote sensing and collecting ground operation information through unmanned aerial vehicle (UAV) efforts and sharing pertinent inputs, especially on terrorism-related activities to all security agencies in India. It has also been

instrumental in curbing illegal activities on land and water. For example, the arrest of the eight Pakistanis with the massive illegal consignment of drugs (232kg) worth US$15 million in Indian waters off the coast of Gujarat on 20 April 2015 was based on the technical intelligence provided by NTRO (Sharma 2015).

While political rhetoric and the media frenzy are routine and difficult to get done with, the controversy surrounding the 'terror boat' incident reinforces the need for a nodal agency like the National Counter Terrorism Centre (NCTC), which has been in limbo due to differences at the political level. Agencies like NCTC are meant to coordinate counter-terrorism operations, and more importantly to help overcome inter– and intra-agency disputes to provide a comprehensive response to the threat. A number of countries – big and small – have implemented this framework with a fair amount of success. In India, the main opposition stems from the provincial governments, especially those governed by diverse political parties that fear that the NCTC will encroach on their constitutional responsibility for law and order – under which terrorism is now being dealt. This is rather unfortunate given the fact that terrorism crosses borders and responding to the terrorist threat should not be viewed as an issue of power-sharing or interference, but rather as one of national security, for which the central and provincial governments share equal responsibility. Unfortunately, a national consensus not only on the nature of the threat, but also the required response to the same, continues to elude the country.

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Religious Education of Pakistan's Deobandi *Madaris* and Radicalisation

James D. Templin

Fundamentalist madaris (Islamic religious schools) in Pakistan, particularly Deobandi madaris, represent grounds for radical indoctrination. These madaris and the associated ulema (Islamic scholars) have also been resistant to government efforts to change the curriculum in the schools to reflect moderation. Therefore, policies designed to reduce the threat of madaris-based radicalisation must be indirect and gradual. Moreover, they must necessarily involve outreach and community-level engagement to provide a moderate and high-quality religious education system, in sync with modern concepts and practices that can insulate the students from radical ideas.

Introduction

In Pakistan, *madaris* (Islamic religious schools) are a principal source of religious learning, but a number of these institutions, particularly within the Deobandi subsect/interpretive tradition, have also become well-springs of fundamentalist belief systems. These belief systems are often directly opposed to more inclusive and moderate concepts embraced by those who have a holistic or mature understanding of Islam. In a minority of madaris, xenophobic traditions and militancy have poisoned the well. This has led to a corruption of minds, the rise of violent extremist organisations (VEOs) and sectarian violence (Fair 2008, 2, 6, 12). Reversing this trend will take time, effort and insight.

A number of Pakistani madaris are identified as latent grounds for radicals to sow the seeds of violence. They proliferate fundamentalist beliefs that can prepare a consequential minority for radical actions. This social programming through narrowly defined interpretations of Islam leads to problematic individual motivations and socially developed codes of behaviour that make some madaris ripe for VEO recruitment.

This article highlights three features of at-risk Pakistani madaris and their corollaries. First, the majority of these madaris belong to the Sunni fundamentalist Deobandi subsect that seeks a return to 'pure' Islam. Second, the ideas of fundamentalist Islam preached in these madaris are powerful; they offer a unique social identity, which can be a gateway to radicalisation. Third, a significant segment of fundamentalist *ulema* (Islamic scholars), associated with these madaris are resistant to the mainstream interpretation of Islamic edicts (Bano 2012, 15), and preach a radical discourse which serves to legitimise the deeds of violent extremist offenders.

Pakistan Madaris in Perspective

Pakistan has historically used the call to jihad to expand an unconventional warfare capability (Fair 2014, 40). policies of General Zia-ul-Haq (Fair 2014, 203).

The Cold War accelerated this trend to unprecedented levels and funding. The U.S.-led proxy war against the Soviets in Afghanistan (1979-1989) funded the Islamist policies of General Zia-ul-Haq (Fair 2014, 203). Zia used these funds and links to Saudi Wahhabis to spawn mujahideen from the fundamentalist Deobandi subsects of Sunni Islam, particularly through madaris and mosques in western Pakistan (Haider 2010, 41). The Pakistan Army sustained influence over these organisations through direct association and political connections with Jamait-ulema-Islami (JUI), the Deobandi Islamist party, during this period (see Figure 1) (Behuria 2008, 221). In the 1980s, the number of Pakistani fundamentalist madaris exploded. The indoctrination of students who are exposed to fundamentalist madaris and madaris which spawn recruits for violent extremist organisations (VEOs) contribute to this trend of radicalisation which continues to perpetuate in Pakistan.
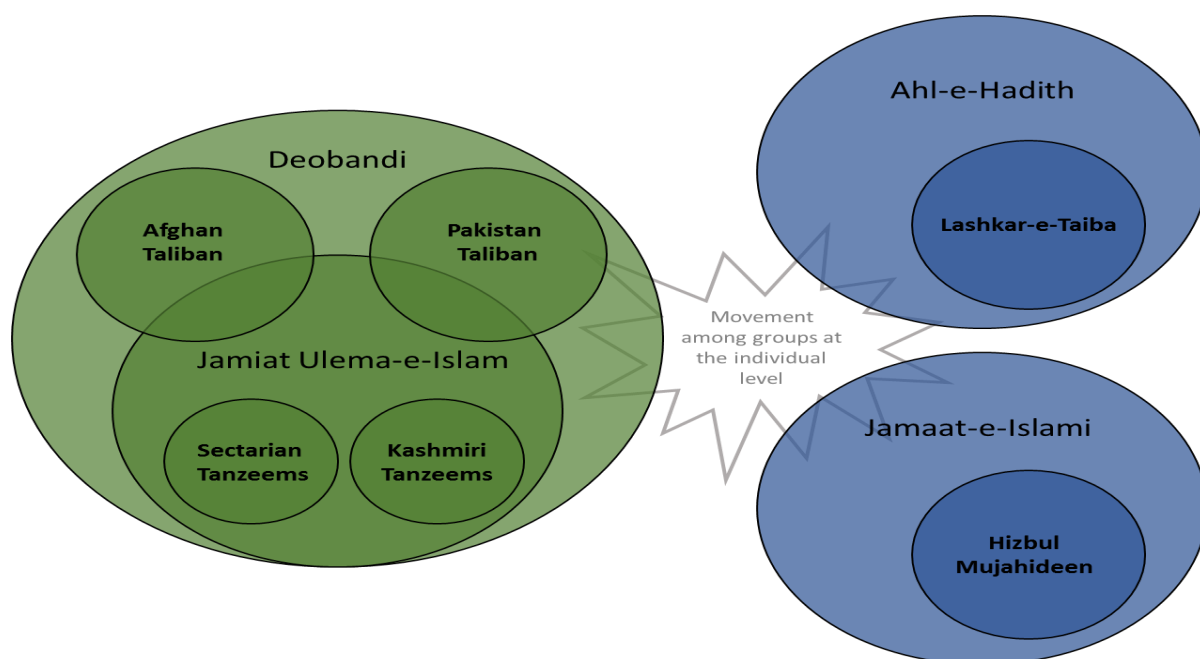

Figure 1: Prominent Pakistani Violent Extremist Organisations (VEOs) and Associated Political Organisations/Fundamentalist Traditions

Madaris of the Deobandi fundamentalist subsect of Sunni Islam are associated with the majority of the violent extremist organisations (VEOs) in Pakistan. They are the largest in terms of student intake and most likely to be utilised as a recruitment source by VEOs. These (Deobandi) VEO's range between those focused on fighting other Islamic sects/interpretive traditions (sectarian tanzeems), the independence of Kashmir (Kashmiri tanzeems), the governance of Pakistan (Pakistan Taliban) and control of Afghanistan (Afghan Taliban). Jamiat Ulema-e-Islami (JUI) represents the political face of these (Deobandi) VEOs in varying degrees.

The Ahl-e-Hadith subsect/interpretive tradition is associated with the Lashkar-e-Taiba (LeT). It is the preeminent VEO in Pakistan. Lastly, the association between the political party Jamaat-e-Islami with the Hizbul Mujahideen and various splinter groups is shown.

Source: Model and explanation extrapolated from *Fighting to the End: The Pakistan Army's Way of War* (Fair 2014, 221-222).

Many, like the Tehrik-e-Taliban Pakistan (TTP) terrorist organisation, have become direct threats to Pakistan and the region, as well as global terrorist threats.

The majority of madaris are not militant, but they are fundamentalist Deobandi. As of 2008, there were over 11,700 madaris reported by the five *wafaqs* (Islamic seminaries) of Pakistan (Borchgrevink 2011, 2). By 2011, the number had grown to 19,366 madaris with approximately 65 percent (over 12,500) of them being from the Hanafi-fundamentalist Deobandi subsect (Bano 2012, 71; Borchgrevink 2011, 2) (see Figure 2). Deobandis represent approximately 20 percent and Barelvis represent nearly 80 percent of Pakistan's Sunni population (Borchgrevink 2011, 3). Sunnis are the majority and represent approximately 85-90% of Pakistan's population of over 196 million (CIA World Factbook 2015). Although there is no reliable data, some estimates suggest a total student population of 1 to 1.7 million enrolled in various madaris today, with approximately 65% subscribing to the Deobandi order (Fair 2012, 136). Moreover, there is extremely limited access to the Federally Administered Tribal Areas (FATA) or the Khyber-Pakhtunkwa (KPK) province along the Afghanistan-Pakistan border, which are known areas of Deobandi prevalence and are safe havens for the majority of Pakistani VEOs. It was in these areas that refugees sought safety in madaris and intermarried with foreign jihadist fighters during the Afghan Jihad and post-9/11 years of the War on Terror (Bano 2012, 1818).

Although available data is not conclusive and does not demonstrate that fundamentalist madaris are the primary source of extremist views in Pakistan, historical evidence demonstrates a correlation between Deobandi madaris' education and militancy (Fair 2012, 139). The largest terrorist groups, like the Afghan Taliban, Pakistan Taliban, Jaish-e-Muhammad and others adhere to the Deobandi school of Islam and draw from the "archipelago" of Deobandi madaris (Fair 2012, 139).

Power of Ideology

A mind requires inputs to cultivate ideas – these inputs are mostly derived from an individual's family and social environment, especially when one is young. The shaping of perception requires influence over these ideational inputs. Similarly, the shaping of a belief system which one shares with other members of his or her social group
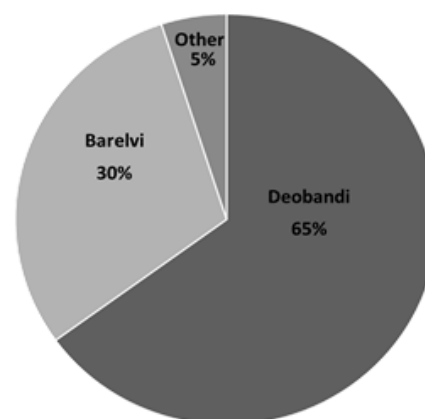

Figure 2: Pakistani Madaris by Subsect

Deobandi madaris represent the largest proportion (65% of madaris) in Pakistan.

Source: Information from "Pakistan's Madrasas: Moderation or Militancy? The Madrasa Debate and the Reform Process" (Borchgrevink 2011, 2).

requires consistent and progressive influence over intersubjective narratives. This is not an insidious concept; it is a basic assertion that humans affect each other by regulating interaction within a social context. In other words, the 'truth' is subjective, and subject to influence: the radical religious actor is not driven by irrational impulse (Bano 2012, 3).

However, fundamentalist interpretation of religious concepts entails adherence to conservative and often literal interpretations of the Quran and the Hadith (Sayings of the Prophet Muhammad). In fundamentalist Deobandi and Ahl-e-Hadith teachings, 'Westernisation', 'secularisation' and traditionalist Barelvi Sufi Islamic teachings are vehemently rejected (Fair 2008, 57-58). These fundamentalist subsects seek an 'untainted' Islam, thereby limiting the decision-making power of followers to narrow parameters. The lived experience of this strain of teachings reinforces violent Islamic fundamentalist ideas (Bano 2012, 8). Moreover, fundamentalist teachings (like other religious teachings) are presented as solutions to the problems of life such as poverty, marginalisation and injustice, thereby reinforcing the power of the narrative (9). In sum, Islamic fundamentalism of the type propagated by radical elements has become attractive because it offers an exclusionary social identity (Bano 2012, 178), seeking to actively 'resolve' social or economic problems confronting the broader Muslim community.

Fundamentalist Pakistani madaris, particularly of the Deobandi subsect, provide the theological grounds that can rationalise radical action. For example, they provided the basis for recruitment of jihadist fighters for the Afghan Jihad (1979-1989), and many of the terrorist leaders, like Jalaluddin Haqqani and Gulbuddin Hekmatyar, came to prominence during this period. This was encouraged under the leadership of General Zia-ul-Haq and has since been harnessed both by the political and military leadership that followed Zia-ul-Haq and VEOs. For example, most of the top leaders of the Afghan Taliban including Mullah Omar, who emerged subsequent to the Zia-ul-Haq regime, were alumni of Jamia Uloom-ul-*Islamia* in Binori in Karachi – one of the largest Deobandi madaris in Pakistan. It was also here that the many leaders of the Afghan Taliban and Al Qaeda and their state benefactors met regularly to further their reciprocal objectives (Gates and Roy 2014).

The radical ideas which encourage militancy are born through fundamentalist Islamic teachings that advance alternative notions of modernity (Bano 2012, 177). This is not to suggest that madaris train individuals for jihad; for this there is weak evidence (183-184). However, as stated previously, there is a correlation between the ideas of Deobandi fundamentalism and recruitment into jihad (Fair 2012, 139). With a stimulus and reinforcement, fundamentalist religious beliefs move individuals toward radical action.

In many cases, the Islamists justify militancy in terms of a reaction to problematic policies of Western and Pakistani governments (Bano 2012, 177, 184). Belief systems determine what is 'right' or 'wrong' and fundamentalist belief systems are directly opposed to notions of a modern Islamic state. State policies that focus on this objective are often viewed as a direct threat to the fundamentalist *ulema* and their teachings. In other words, those who hold fundamentalist Islamic ideas represent a latent threat as a primed social group that is more readily radicalised than members of more inclusive belief systems.

Resistance to Change

Resistance to modernisation and reform has been a natural part of the fundamentalist Islamic discourse. It is a method of cultural struggle – an effort perceived as protecting the 'Word' from modern incursion. The fundamentalist *ulema* and

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their disciples have demonstrated significant resistance to the Pakistani government's efforts to secularise the madaris curriculum. Moreover, they have particularly strong ties to governance and the rule of law in the tribal areas (Riaz 2008, 27). Attempts by the government to control militancy in 2000 under General Pervez Musharraf, resulted in the establishment of an *ulema* coalition called the Ittehad-e-Tanzimatul Madaris-e-Deenia (ITMD), formed to resist laws that curbed the autonomy of madaris (Riaz 2008, 204). This fundamentalist lobby also successfully co-opted Islamist political parties like the Jamiat Ulema-e-Islam (JUI) and Muttahida Majlis-i-Amal (MMA), which view Pakistan as under assault by the hegemonic powers of the West (Riaz 2008, 204). Attempts to reform have consistently met with stiff resistance from these groups.

In 2002, a US-funded reform programme offered US$225 million to secularise the madaris curriculum. However, by 2007 only 250 madaris accepted reforms and the programme ended (Bano 2012, 5). Geographic isolation, powerful radical ideas and a resistance to change have

insulated fundamentalist Pakistani madaris from policies intended to secularise syllabi. Even the Madrassa Registration Ordinance of 2002 was seen by ITMD and their political supporters as an attack on Islam supported by the West and Zionists (Riaz 2008, 205).

In July 2005, bombings in the London subway was conducted by British citizens of Pakistani origin, who visited Pakistan to "identify a suitable school to study Islam" and were subsequently radicalised (Riaz 2008, 206; House of Commons 2006, 13, 20). This provided renewed impetus for reform. In response, Musharraf called for the registration of madaris, the reporting of funding sources and the expulsion of foreign students. Under severe pressure, the ITMD agreed to register but did not expel foreign students or report funding sources (Riaz 2008, 206). Thus, the fundamentalist Islamist elite have prevented education reform in Pakistan madaris and the lobby remains strong. The resistance presented by the fundamentalist *ulema* is persuasive because it draws upon a narrative of secularisation of religious teachings induced by Western interests, not to mention the support they receive from some prominent members of formal institutions of the Pakistani political system.

Reform efforts have also been largely ineffective because they emphasise secularisation of madaris, rather than improving the quality of religious learning offered by them (Bano 2012, 56). Fundamentalist culture is resistant to secular changes or a reduction of religious thought and practice. The result is that education in secularised madaris is being perceived to be inadequate to meet local communities' religious needs, thereby sustaining the appeal of the fundamentalist madaris. This has also perpetuated anti-Western narratives and created a social group that is susceptible to the radical ideologies of and recruitment by VEOs.

Conclusion: Reducing the Latent Threat

The threat presented by fundamentalist religious ideas is complex and cloistered. The lesser threat is from the effect of individuals who have already been radicalised by these ideas – the greater threat lies dormant as Pakistani madaris are a major source of ideational inputs for an at-risk minority. Fundamentalist Islamic indoctrination is a gateway, awaiting a stimulus to activate radical motivations, as it can cement violent belief and confine rational choice (Bano

> **" Pakistan is an Islamic state; it cannot and need not be secularised, but it can be modernised. "**

2012, 10). Furthermore, fundamentalist ideas breed fervent adherence, which are susceptible to in-group manipulation and resistant to out-group influence. This is a dangerous amalgamation that represents a latent threat; a perpetual breeding ground for potential radicalisation. Although, the number of madaris that actively promote violent extremism is comparatively small, they have actively contributed to sectarian violence, regional instability and the perversion of Islam in general with local, regional and global implications.

Diminishing these concomitant threats will require a multifaceted approach. Pakistan is an Islamic state; it cannot and need not be secularised, but it can be modernised. The direct and rapid nature of past secularisation efforts have been viewed as a threat to the *ulema*. Therefore, policies designed to reduce the latent threat of fundamentalist madaris must be indirect and gradual. A strategy focused on including holistic, moderate teachings of Islam to curriculums and subtly reducing the attraction to fundamentalist madaris can shrink the scale of the problem in the long-term. By providing a high quality, but moderate religious education – both in terms of belief and practice – the Pakistani government can quench the thirst for religious knowledge of vulnerable communities. This would also take in hand the resistance against reforms, which are presently seen as instruments of control of the madaris curriculum.

Investments in affordable, effective and sustainable religious educational alternatives will require outreach, community-level engagement as well as tailored, adaptable curriculums that bridge the gap between present local beliefs and the desired end-state. In this, anticipating and controlling psychological effects are essential. Pakistan must portray a positive image of modernity that entices people of vulnerable areas to accept an education system that tempers fundamentalist ideas and rejects militancy. Further analysis of the attraction to the madaris system may offer insight into

operationalising strategic narratives at the local level. These strategic narratives must effectively deliver the idea that the future of Pakistan resides in the whole of its population embracing holistic, 'true' Islam, not insular fundamentalism. As Pakistani madaris represent an important front in an intensifying war of ideas taking place in the Islamic world, shaping perceptions of vulnerable communities is an essential component to winning on this front.

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After the Peshawar School Attack: Law and Politics of the Death Sentence in Pakistan

Syed Sami Raza

The December 2014 terrorist attack on a school in Peshawar brought back the question of meting out death sentences to terrorists. However, in the context of Pakistan, this meant not only arriving at a consensus to lift the six-year long moratorium, but also explaining death sentence executions as a worthwhile tool in fighting terrorism. The politics of legitimising death sentence executions, in the context of Pakistan's local political scene and its criminal justice system, is the focus of this article.

Introduction

The 16 December 2014 terrorist attack at the Army Public School in Peshawar, Pakistan by the Tehrik-i-Taliban Pakistan (TTP) – an alliance of anti-Pakistan terrorist groups – was one of the deadliest in the country's history. The TTP militants killed 132 students and nine teachers, including one female teacher who was burnt alive (Yusufzai and Spencer 2014). The attack led to increased pressure on the government to exercise its punitive authority, as well as to upgrade its criminal justice system. It renewed the debate on whether death sentence executions should be restored in the country. Moreover, it was debated whether the proposal to lift the moratorium on death sentence executions would be an effective deterrent against terrorists.

One of the questions raised in the context of the debate on the resumption of the death sentence was: why are the hands of the state tied while terrorists are killing with impunity? The family members of the victims of the Peshawar school killings demanded justice in the form of public hangings of the perpetrators. Supporters of the death sentence argued that the death sentence was the only effective way to deal with the scourge of terrorism. Some even questioned whether convicts and terrorists had the right to life. In one form or the other, these questions and demands came to centre on the legitimacy, and indeed the efficacy, of the moratorium on death sentence executions that had been put in place for six years. Pakistani civil society and human rights groups on the other hand, questioned whether reinstating death sentence executions in Pakistan would serve as an effective deterrent against terrorists, and whether it was a necessary tool in order to win the fight against terrorism.

A day after the school attack, Prime Minister Nawaz Sharif decided to lift the moratorium on death sentence executions (Haider 2014). This decision was very significant, as there had been no civilian hangings in Pakistan for six years (Dawn 2013). It is understood that in 2008 Pakistan People's Party (PPP) government had declared a de facto moratorium on the death sentence execution to forestall economic sanctions on Pakistan from the European Union (EU) (Abbasi 2014). In January 2015, the government decided to lift the moratorium on other capital cases, directing the provincial governments to proceed with hangings of convicts who had exhausted all avenues of appeal and clemency. Finally, in March 2015, the government completely lifted the moratorium and effectively brought back death sentence executions across the country (Khan 2015). Since the resumption of executions in 2014 until the end of April 2015, more than one hundred convicts have been hung (Dawn 2015c). Presently, there are more than 8,000 prisoners on death row in the country (Dawn 2015b).

In modern times, the call for a moratorium on the death sentence came from the West, while ancient and contemporary Buddhist and other Eastern nations traditionally adhere to the principle of restorative justice. Its academic origin lies in critical legal scholarship, and its popular origin in human rights activism in the aftermath of the post-World War II period (after 1945)(Sarat 1998). The context for the moratorium on the use

> " … both decisions – the imposition of the moratorium on the death sentence in 2008, as well as the lifting in 2015 – did not generate any meaningful debate in the parliament, courts or within the public domains."

of the death penalty, especially in the West, was introduced with the view to protect and preserve the perpetrators' 'right to life', particularly, those convicted of homicide, and in earlier times, treason and rebellion. There is however, a need to distinguish between contemporary terrorism, killings and other criminal acts.

Societies also find it necessary to recalculate the equation between the 'absolute' right to life and 'heinous' crimes, wherein the crime is deemed so grievous an affront to humanity that the death sentence is justified. How this equation will be defined, discussed and fixed in a representative assembly, in the context of Pakistan's parliament, remains to be seen.

The Pathos of Pakistan's Politics

In the context of Pakistan, the decision to lift the moratorium was more difficult than six years earlier, when the moratorium was imposed. This was despite the fact that it contravened one school of thought in Islamic jurisprudence (specifically, the 'blood-for-blood' principle). Even Pakistan's major Islamic parties did not protest the imposition of the moratorium.

In fact, both decisions – the imposition in 2008, as well as the lifting in 2015 – did not generate any meaningful debate in the parliament, courts or within the public domains. The pathos of national politics then, is the decision to enhance the sovereign power of the state without entering into a meaningful political debate in a democratic

setting. This lack of debate also reflects a remarkable political failing in acknowledging the relationship of the death sentence to the state of democracy and criminal justice system in the country. Those who showed their concern were human rights advocates and the Pakistani Taliban who opposed the government's decision to lift the moratorium, although for divergent reasons and interests.

The major political parties, on their part, assumed ambivalence towards the lifting of the moratorium. The religious political parties, for instance, Jamiat Ulema Islam-Fazl Rehman (JUI-F) and Jamaat-e-Islami (JI), were torn between their ideological commitment to 'punishment by death' and their sympathy for those engaged in the so-called armed jihad. Although the two liberal-secular parties, namely, the Pakistan People's Party (PPP) and Pakistan Tehrik-e-Insaf (PTI) ('Movement for Justice'), agreed in principle on the lifting of the moratorium, they remained reluctant to identify themselves with the decision, or to lend their representative support to the government.

The ruling political party, the Pakistan Muslim League-Nawaz (PML-N), a moderate Islamic party, headed by current Prime Minister, Nawaz Sharif, found itself locked in a political conundrum dealing with the issue. On the one hand, the Taliban threatened to initiate more attacks and jail-breaks if the moratorium was lifted (Sherazi 2014). On the other hand, the major political parties dragged their feet in reaching a consensus.

Moreover, the government faced the question of whether death sentence executions would be effective in deterring would-be terrorists, as on the surface, it would appear that those who have taken vows of martyrdom would not be afraid of death sentence executions. However, supporters of the death sentence argued that the psychological and emotional readiness that accompanies such vows is often only temporary, and pointed to instances whereby convicts have suffered from cardiac arrest and depression before their hangings. They also point to the fact that death sentence executions should be seen as a matter of principle, a rule of law (Wasim 2015). For them, the greater the degree of certainty in applying this rule of law, the more effectively the death sentence would serve as a deterrent against would-be terrorists.

However, human rights advocates and other civil

> " … the government faced the question of whether death sentence executions would be effective in deterring would-be terrorists… "

society members point to inadequacies in this argument by identifying existing flaws in the trial procedures. They list, for instance, the exorbitant fees of hiring a learned lawyer, the poor investigations carried out by the police, the lack of protection given to witnesses and the abridged trial procedures, as some of these existing flaws. Furthermore, proponents of restorative justice denounce the eye-for-an-eye principle and embrace the principle of two-wrongs-don't-make-a-right. Hence, ending a person's life (even if that person has taken another's life) is not perceived as justice or a solution for the wrong committed. Along this line of logic, in the case of a terrorist, comprehensive rehabilitation and reintegration would be in order in the transformation of that individual.

Expanding Necropower

Over the past few years, the major political parties and other stakeholders, especially the Pakistan Armed Forces, police and the country's bureaucratic officials, have agreed to enhance the state's sovereign power, or more precisely, necropower – a term coined by Achille Mbembe to refer to the state's exercise of sovereign power in dictating who lives and who dies (Mbembe 2003). For instance, in July 2014, the ruling and opposition parties agreed to codify the Protection of Pakistan Ordinance of 2013 into an Act. The ordinance and the Act widened the scope of power accorded to security and law enforcement agencies, granting the authorities the power to shoot-at-sight, especially 'aliens', terrorists, suspected terrorists and their abettors. Essentially, the Act is a document that declares that all peace-disrupting elements are deemed 'enemies of the state', and states that the protection of civilian life remains Pakistan's top priority. It needs to be noted, however, that the category of 'aliens' is wide enough to target

anyone who is without legal identity documents.

Additionally, the government's frequent use of Article 245 of the constitution has resulted in an enhancement of the state's sovereign power. Under this Article, the government can call the army and para-military forces to assist Pakistan's civil administration in ensuring law and order throughout the country. Furthermore, after the Peshawar school attack, the government approved both the National Action Plan (NAP) and the Pakistan Army (Amendment) Act in 2015 to empower the Pakistani Army. The Act has also been extended to the Afghanistan-Pakistan borderland, where the Pakistan Army is presently engaged in counter-terrorism operations. As part of the Act, military courts for 'speedy trials' of suspected terrorists will also be set up in the country. The bills were presented to the parliament after political parties and the army agreed on the mode of setting up the military courts. As of February 2015, the army had set up nine military courts – three each in Khyber-Pakhtunkhwa and Punjab, two in Sindh and one in Balochistan. In order to further strengthen these courts, an ordinance was issued to grant judges of these courts the power to exclude the public from the hearings (Dawn 2015a). With these laws in place, it seems that the lifting of the moratorium is a continuation of the recent juridical developments to enhance the state's sovereign power. These judicial developments (vis-à-vis its anti-terrorism laws) were intended to collectively grant the state greater teeth in enforcing law and order, but have ostensibly resulted in the enhancement of the state's necropower.

The Ethos of Islamic Jurisprudence

In an Islamic state like Pakistan, there is hardly any escape from not reconciling with, or at least, explaining, a law in the ethos of Islamic jurisprudence, i.e., by articulating the broader spirit of Sharia (Islamic Law). The use of the death penalty also concerns its accordance to a moral right. In other words, the victim is not only entitled to a legal justifiable right through the state's judicial system, but also a moral right acceptable in the eyes of society. In the Islamic tradition, the legal right is in fact, the realisation, or manifestation of a codified moral right. When it comes to seeking mercy or clemency, the killer has to seek it from the victim's family. This is the view predominantly held by religious parties in Pakistan. For instance, JUI-F's Secretary General Maulana Abdul Ghafoor Haidri had, in

> " ...from the perspective of modern justice, the death penalty presents limitations to the practice of enforcing the law, due to its irrevocable consequences. "

response to a question on the lifting of the moratorium on the death penalty, remarked: "Only a victim's kin has the right to pardon the killer, whether in deciding to take or not take compensation. This is an Islamic way of justice, and being an ideological state, Pakistan should have Islamic laws" (Haider 2014). In the judicial process that ensues, the role of the state is therefore, primarily procedural. The moratorium on the death sentence, in a way, complicates and contravenes the Islamic legal right of the victim (Islamic principle of blood-for-blood).

The Aporia of Modern Justice

One of the challenges involved in dispensing criminal justice, i.e., meting out punishment on the criminal, generally speaking, is meeting the procedural requirements of due process of law and granting the victim equal protection. From the point of view of critical legal thought, there exists a gap, or an incoherence between the law and the criminal act, especially when it comes to enforcing the law (Agamben 2005). In other words, oftentimes, enforcing a law on a criminal act carried out by an individual is not as straightforward as it appears, and it involves the judge's careful deliberation and discretion. Implicit in this claim is the emphasis on the need to leave the sentencing judge or jury with the obligation and the authority to consider any mitigating factor and to withhold imposing a death sentence even as a pure act of mercy or leniency. Therefore, from the perspective of modern justice, the death penalty presents limitations to the practice of enforcing the law, due to its irrevocable consequences. When it comes to a decision on the life and death of a person, proponents of restorative justice use the

argument of the irrevocability of the death sentence in their defence against the death sentence.

In Pakistan, it was partially in this light – to afford due process and equal protection – that Section 10A was introduced to the Constitution in 1973. The section guarantees the right of every citizen to a fair trial, no matter how grave an act of crime he or she is involved in. The right to a fair trial technically means a full-length trial procedure. Although the right to a fair trial was guaranteed with this section, there arose problems in the wake of the 11 September 2001 (9/11) attacks and the resultant 'War on Terror', which brought back the idea of 'speedy justice'. The idea of speedy justice, originally, was to dispense justice in the final disposition of cases – with prudence and wisdom – without undue delay.

The idea of speedy justice in Pakistan was introduced in 1992 first, although in a different context, when the government under Prime Minister Nawaz Sharif passed two important counter-terrorism legislations – Act X or the Terrorist Affected Areas (Special Courts) Act, and Act IX or the Special Courts for Speedy Trials Act. The aim of the legislations, as declared in the preamble of Act X, was "to provide for the suppression of acts of terrorism, subversion and other heinous offences in the terrorist affected areas." Later, these acts provided the basis for an expanded Anti-Terrorism Act of 1997. The 1997 act was further amended and expanded on 14 August 2001, about a month before the 9/11 attacks. In practice, in Pakistan, the idea of speedy justice came to stand for a speedy procedure of trial, or more precisely, an abridged procedure of trial. It was interpreted in such a way as to shorten the overall process of the trial duration. Anti-terrorism courts with speedy trial procedures have remained active since the 1992 acts were put into place. The government again amended the Military Act of 1952 in 2015 to provide military courts with a further abridged procedure of speedy justice.

Conclusion

At present, when life and the political sensibility necessary for a meaningful life is extremely vulnerable in Pakistan, the nation is confronted with the profound question of death sentence executions. There is a need for a public debate, including an academic one, to explore how the death sentence is intimately related to the transitional character of Pakistan's liberal criminal justice system and to the very potential of a democratic character to take shape within the Pakistani society.

The legitimacy of death sentence executions remains contested and controversial. This is due to the lack of (a) a political debate in the parliament, (b) ambivalence of major parties to death sentence executions and (c) inadequacies in the criminal trial procedure. On the other hand, the sovereign power - or the necropower - of the state has increased over the past few years with passage of several security laws, and especially with the resumption of death sentence executions. The school attack only added new laws to increase the state's necropower. These laws are adversely affecting the state of liberal democracy in the country. Moreover, the state's liberal posture has further suffered as the blood-for-blood principle in Islamic jurisprudence has frequently undermined the egalitarian and humanitarian spirit of Islam.

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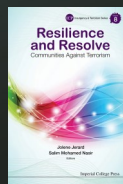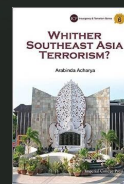
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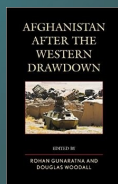
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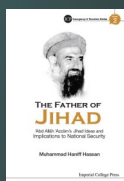Rohan Gunaratna and Douglas Woodall (eds) (Rowman & Littlefield Publishers, 2015)
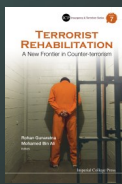
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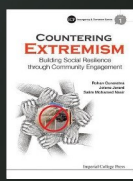Rohan Gunaratna and Mohamed Bin Ali (Imperial College Press, 2015)

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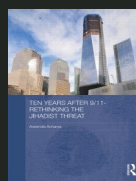Jolene Jerard and Salim Mohamed Nasir (Imperial College Press, 2015)

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