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Another Upheaval Averted But Pakistan Remains on the Brink

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In the second week of March 2009, it seemed Pakistan was on the verge of another bout of volatility, instability and perhaps violent clashes between the police and demonstrators protesting the verdict by a three-judge bench of the Supreme Court declaring Nawaz Sharif and his brother, Shahbaz Sharif, ineligible to hold public office. In addition, they demanded the restoration of the displaced Chief Justice of the Pakistan Supreme Court, Iftikhar Mohammad Chaudhry, and several other judges, who had been deposed during the emergency imposed by General Pervez Musharraf in late 2007.

There were also fears that street fighting might break out between the supporters of the opposition Pakistan Muslim League-Nawaz (PML-N), led by the Sharif brothers, and the party in power in the centre and in Sindh province, the Pakistan People's Party (PPP) of the late Benazir Bhutto, now led by her husband and controversial Pakistan President, Asif Ali Zardari.

It was fortunate that just when the long march was about to begin, Prime Minister Yousaf Raza Gilani announced on 15 March 2009, "My countrymen, in accordance with my commitment and the commitment made by the President of Pakistan, I declare reinstatement of Mr Iftikhar Muhammad Chaudhry and all other deposed judges to their positions." He added that, "On 21 March 2009, on the retirement of the incumbent Chief Justice Abdul Hameed Dogar, Justice Iftikhar Muhammad Chaudhry will assume the office of the Chief Justice."

At the same time, Prime Minister Gilani announced that the government would appeal against the debarring of the Sharif brothers by the Lahore High Court because the public sentiment against that verdict was very strong. The decision came after a high-level meeting in the President House in Islamabad that began on the night of 14 March 2009 and continued till the early hours of 15 March 2009.

Did the Prime Minister take these decisions in defiance of President Zardari? It is important to answer this key question for it will allow us to assess the likely impact on the PPP leadership rising from the reversal of this policy. A contest between President Zardari and

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Prime Minister Gilani is most certainly on. In the latest incident, the former suffered a loss of face and prestige. His powers in the future are likely to diminish, or his position may actually weaken to the point that he may have to leave. He will probably not accept such reversals sitting down and the PPP could be headed for an intense period of internal strife.

For quite some time, President Zardari had been ruling Pakistan more in the presidential style of General Musharraf. However, in principle, Pakistan is a parliamentary democracy which means that the head of the government or executive must be the Prime Minister. The controversial 17th Amendment of December 2003 conferred the power to dissolve the National Assembly (effectively the Prime Minister and his government) on the President.

As a result of that amendment during the period when General Musharraf was the President, the Prime Minister played the role of a second fiddle. After the PPP came to power in February 2008, there were some discussions that the 17th Amendment would be repealed and real executive powers would revert to the office of the Prime Minister. In the early days of the PPP government, President Zardari had committed himself to letting the Prime Minister exercise executive authority. However, soon afterwards, he began to dodge that issue and there were no signs that he would agree to the 17th Amendment being annulled.

However, after the announcements by the Prime Minister to restore the judges and to appeal the debarring of the Sharifs, it is clear that Prime Minister Gilani is staking his right to make the crucial decisions on behalf of the government. Whatever the outcome of the Zardari-Gilani contest, it is clear that the rising storm of protest which threatened to turn the long march into a massive demonstration of public anger and protest was instrumental in compelling the Prime Minister to make the decisions overruling President Zardari's political stand. In any event, Pakistan has succeeded, once again, in averting a major political crisis that could have destabilised the democratic process and put in jeopardy the civilian rule.

The Sharifs are undoubtedly, at present, the most powerful political family in the dominant Punjab province. The PML-N also has the largest number of elected members in the Punjab legislature. Moreover, Shahbaz Sharif was serving as Chief Minister Punjab when the verdict of his ineligibility to hold public office was announced. The Punjab Governor, Salman Taseer, a leader of the rival PPP, whose relations with the Sharif brothers have been notoriously bad, imposed the Governor's rule in Punjab. Pakistan's nascent and fledgling democracy seemed condemned to give way to authoritarian rule.

Nawaz Sharif announced a long march that would bring hundreds of thousands of protestors to the capital Islamabad. He claimed that he was willing to risk his life and pleaded with others to join him. The lawyers had, for months, been agitating against the removal of Chief Justice Chaudhry. However, without mass political support, they were not making much headway. They naturally responded enthusiastically to Nawaz Sharif's call. The rightwing Jamaat-e-Islami (JI) and the charismatic leader of the Tehrik-e-Insaaf, cricket idol Imran Khan, also announced their intention to join the march.

The government imposed Section 144 which prohibited groups of more than five people assembling in one place. Arrests took place. The police clashed with demonstrators in Karachi, Lahore, Islamabad and other places. However, it became clear that without the excessive use of force, the long march could not be prevented. The PPP-Muttahida Quami Movement government of Sindh as well as the PPP-allied governments in the North West

Frontier Province and Baluchistan played a responsible role by informing the PPP leadership that, in the case the long march took place, the people of their provinces were likely to join it.

It was not surprising that alarm bells also began to ring in Washington D. C. as the United States did not want Pakistan to be destabilised. Secretary of State Hilary Clinton called both President Zardari and Nawaz Sharif urging restraint. United States Ambassador to Pakistan, Anne Petterson, and other officials also conducted hectic diplomatic activities to defuse the conflict. Nawaz Sharif reportedly informed the Americans that he would not budge from his stand and the long march would go ahead if the PPP continued with its authoritarian actions.

As the prospects of a showdown loomed large, with Nawaz Sharif planning to start his long march on 16 March 2009, the first signs of major disagreements within the PPP leadership became public in a dramatic manner. Information and Broadcasting Minister, Sherry Rehman, resigned when the transmissions of the popular private television channel, 'Geo News', were stopped without her being consulted. Earlier, Mian Raza Rabbani resigned as Federal Minister for Inter-provincial Coordination to protest the appointment of President Zardari's personal lawyer, Farooq Naik, as Chairman of the Upper House of the Pakistan Parliament, the Senate. Unlike Rabbani, Naik was not even a member of the Senate.

The ultimate reason that dissuaded the PPP from going all out to crush the brewing agitation was the fact that the Punjab police refused to use further violence and repression against the people. Rather, they were heeding the call of Nawaz Sharif not to obey what he described were unlawful orders of the government. All this showed clearly that in the key Punjab province, the PPP would not be able to prevail in a showdown with the PML-N.

Moreover, this time round, the rumour mills did not churn out tales of a conspiracy being hatched in the Army Headquarters in Rawalpindi to stage another coup. Rather, the Chief of Army Staff, General Ashfaq Pervez Kayani, applied subtle pressure by advising the government not to resort to force. It was clear that the military too realised that the people considered an independent judiciary vital and that included the restoration of Chief Justice Chaudhry and his other colleagues. Under the circumstances, the government was forced to give in.

It is, however, important to examine why such developments took place in the first place. More than a year ago, an agreement was reached between the PPP and PML-N that after the general elections in February 2008, Chief Justice Chaudhry and his other colleagues, deposed by General Musharraf, would be restored to their jobs.

The 18 February 2008 elections returned the PPP and PML-N as the two main victors in the national parliament and in Punjab (PML-N) and Sindh (PPP). For a few weeks, the two parties formed a coalition government under the leadership of Gilani of the PPP at the centre and called it a government of national unity and reconciliation. It seemed that after long last, Pakistan was finally going to change course and the intrigues and manipulations which, in the past, had brought down civilian governments would be replaced by concord and amity.

In a surprise move, Zardari put himself up as the candidate for the post of President and succeeded in being elected. The occasion had called for an eminent Pakistani with impeccable credentials as an honest and competent statesman being chosen for the job. However, with both the Prime Minister and President posts going to the PPP, it was clear that

its leaders, especially Zardari and his close aides, were aiming to enhance their control over the state.

In any event, the national coalition fell through because President Zardari resorted to evasive tactics on the restoration of Justice Chaudhry while Nawaz Sharif made it the most important issue that needed to be solved. The two leaders and their close advisers met many times but it became clear that President Zardari had decided to renege on his promise and Nawaz Sharif was not going to budge an inch on that matter either. President Zardari's aversion to giving Chief Justice Chaudhry his job back stemmed from his fear that the controversial decision by General Musharraf to drop all corruption charges against him (Zardari) so that the PPP and General Musharraf could rule together in Pakistan without the PML-N being involved, would be overturned by Chief Justice Chaudhry.

Chief Justice Chaudhry had, since his removal from office on allegations of misusing his office to help his son get a job in the police, embarked upon a confrontational course vis-à-vis the Musharraf regime. He vehemently denied any wrongdoing and gave the impression that if he returned to his post, he would not tolerate any irregularity or wrongdoing. President Zardari obviously feared that he may again be put in the dock on allegations of massive corruption. In any event, Chief Justice Chaudhry resumed office as Chief Justice Dogar retired on 21 March 2009. There was considerable jubilation to mark the occasion. There were a number of people who had previously been taken away by Pakistani security forces. Their relatives are now hoping that Chief Justice Chaudhry would look into their cases and help in the release of the innocent.

There are rumours that President Zardari is conspiring with the pro-Musharraf Pakistan Muslim League-Quaid to oust Prime Minister Gilani from power. On the other hand, Prime Minister Gilani has reportedly said that he would welcome the PML-N back into the coalition. President Gilani and Nawaz Sharif met on 22 March 2009 in an atmosphere exuding friendliness. The Prime Minister announced that if the Supreme Court lifted the ban on the Sharif brothers, he would welcome a PPP-PML-N coalition government again. However, the situation is far from stable. Nawaz Sharif has threatened to mobilise the masses again if the 17th Amendment is not repealed. On the other hand, the Supreme Court has published the reasons for its decision to bar the Sharifs. The two brothers are blamed for disrupting the proceedings of the Pakistani courts and for acting irresponsibly. Shahbaz Sharif has also been denounced for defaulting on his bank loans. It seems that the situation remains highly volatile at the present moment.

Since the elections last year, there is absolutely no doubt that Prime Minister Gilani has behaved in a more responsible manner and his general conduct in office has been rule-oriented and transparent. On the other hand, President Zardari has continued to lord over in a typical feudal manner, and in that process, his already tarnish reputation has received further blows. It seems that heads will roll in the PPP headquarters soon but which of the two – Zardari or Gilani – will lose out remains to be seen. At the moment, efforts are afoot to bring about a normalisation of their relationship.

Some critics and cynics are pointing out that the Americans and the military had to exert pressure on the Pakistan politicians not to precipitate another breakdown of law and order and plunge Pakistan into chaos and anarchy. Therefore, what transpired in Pakistan is indicative of the continuing influence and power of unelected stakeholders in the Pakistani political dispensation. This may be true but there is nothing wrong if in the correction of a political

system, some external and/or extra-political inputs have been made. For most of Pakistan's existence, what has happened in the national political arena has included a heavy dose of United States meddling as well as manipulation by the military. Unfortunately, such characteristics cannot be wished away; they can only be made to recede over time by strengthening the rule of law and democracy. If the Pakistani people, at large, were reportedly going to take part in the long march because they wanted good governance and were frustrated with the politics of deceit and manipulation, then the recent events in Pakistan have to be celebrated.

There is the question if the rightwing JI will now be able to wield more influence than before because Nawaz Sharif is generally considered to be right of the centre with some soft corner for Islamism. As mentioned above, during the recent turmoil, the JI was the closest ally of Nawaz Sharif. Even Imran Khan and his Tehrik-e-Insaaf are generally considered to be right of the centre. Such a turn to the right can be prevented if the original idea of a nation government comprising both the PPP and PML-N is revived sincerely and seriously. That would mean Prime Minister Gilani and the Sharifs seeking a middle path of power-sharing that is progressive and liberal in its ideological orientation.

For a parliamentary democracy to be consolidated, it is important that the government of the country is carried out in an open and transparent manner. Pakistan's greatest political misfortune has been the lack of a leadership that genuinely believes in democracy and the rule of law. The latest opportunity should, therefore, be utilised to catch up with the rest of South Asia where democracy is now in a better health than it was ever before since the British transferred power to native elites in this region. Only then perhaps Pakistan can really move away from the brink of chaos and collapse.

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