

One Step Forward, Marching to the Brink

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While much of Pakistan's "civil society" celebrated a famous victory in the restoration of judges sacked by Pervez Musharraf in November 2007, it continues to display an indifference bordering upon negligence to the existential threat to itself. President Zardari's bungling and opposition leader Nawaz Sharif's irrational ambitions brought a welcome relief to the jihadi apparatus at the precise moment when the noose around it looked like tightening.

The "lawyers' movement" has been a remarkable phenomenon. Triggered by the sacking of Chief Justice Iftikhar Chaudhry at the hands of the then President, General Pervez Musharraf two years ago, the leadership of bar associations mobilised the support of judges, political parties and broader segments of the civil society. Common cause was made with journalists peeved by media restrictions imposed by an increasing embattled Musharraf. The leadership of the movement made a grave tactical error in urging a boycott of the February 2008 general elections, on the grounds that any elections held under Musharraf and his hand-picked judges were bound to be rigged and illegitimate. The lawyers' leadership set itself up in opposition to those political forces that saw the elections as a way forward from military rule. The lawyers' boycott campaign failed, and their analysis proved to be incorrect. The elections did lead to the defeat of Musharraf's allies, and finally his own ousting from the presidency.

Despite this apparent setback the lawyers' movement retained its unity and succeeded in keeping alive the issue of the sacked chief justice. In this they had a powerful ally in the shape of the Pakistan Muslim League of Mohammad Nawaz Sharif (PML-N). Sharif made his cooperation with the leading Pakistan Peoples Party (PPP) conditional on the restoration of the 60 or so judges who were sacked by Musharraf along with the Chaudhry. If the PPP was to lead a government in Islamabad it needed to form a coalition with one of the two Muslim League factions – either the decimated Musharraf allies in the so-called Quaid-e-Azam group (PML-Q), or Sharif's PML-N. With Musharraf still occupying the presidency the PPP chose PML-N, supporting the latter in forming the provincial government in Punjab, and in

the bargain publicly committing itself to restoring the 60 or so sacked judges.

Transition's Trap

But the judges' issue became a fly in the ointment. The PPP first dragged its feet, and then began to reappoint sacked judges in a stage-wise manner. In the end, all but a handful of the judges were reappointed, taking fresh oaths of office. The line between "restoration" and "reappointment" was a fine one, but it was enough for the leaders of the lawyers' movement and their allies to lend their voices to a loud media campaign against the government. There was, of course, the issue of Chaudhry and the handful of others who were neither restored nor reappointed. The PML-N, meanwhile, left the coalition government in the centre, and took on the role of an increasingly vocal and belligerent opposition.

The PPP's position vis-à-vis the judges' issue was privately understandable and publicly indefensible. The deposed chief justice was seen as a threat to political consolidation, as it was expected that he would assume expansive powers to block the elected government. Critics claimed that Zardari feared that a restored Chaudhry would invalidate the amnesties negotiated under the National Reconciliation Ordinance (NRO) between Benazir and Musharraf in 2007. In any case, the chief justice was seen as a maverick who would destabilise an already precarious political transition. A trailer of "judicial independence" had already been seen between July and November 2007 when Chaudhry was first reinstated by his fellow judges and before his subsequent dismissal and house arrest by Musharraf. The judges had shown an appetite for populist, and sometimes absurd, media-led campaigns, egged on by idealistic lawyers and intellectuals. By the time the PPP and PML-N had manoeuvred the ex-general out of office in August 2008, relations between Zardari and the lawyers' camp had probably soured beyond repair.

Zardari was trapped between his distrust of Chaudhry and public promises of restoration – a position that Sharif used to his full advantage. Reappointment of most

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of the judges in late 2008, seen then as a PPP masterstroke was ultimately futile because it failed to weaken the resolve of the lawyers' leadership. The PML-N too ratcheted up its rhetoric, and was happily joined by many of the other segments of civil and political society that had their own axes to grind. The right wing Jamaat-e-Islami (JI), left out in the cold due to its boycott of the elections, was particularly virulent in its campaign against Zardari who replaced Musharraf as president – in an election that was both constitutional and fair. Influential sections of the independent media who were to achieve worldwide fame for their “Mumbai denial” campaign, acted as ready and partisan opinion-makers.

The Long March

March was always going to be a month of high political drama. Indirect elections to the upper house (Senate) promised to consolidate further PPP's grip on power, as it expected to increase its number and win the strategic chairmanship. It was also the month when the chief justice appointed by Musharraf in place of Chaudhry was scheduled to retire – thus creating a space for a change at the top of the judiciary. Perhaps with all of this in mind, the lawyers' leaders had called for a “long march” and indefinite protest at the capital in March.

A few days after the PPP and the PML-N stitched up a deal in the Punjab provincial assembly to carve out Senate seats among themselves, Nawaz Sharif declared that his party would take part in the lawyers' long march. Within three days, on 25 February, a Supreme Court bench reviewing a case challenging the political eligibility of Nawaz Sharif and his brother Shahbaz, the chief minister of Punjab, held that they were both barred from holding office. The PPP governor of Punjab dismissed the provincial government – a move that confirmed the widely-held suspicion that everything had been coordinated by Zardari. The Punjab governor used the coercive powers at his disposal to crack down on preparations for the long march which was scheduled to set off from Lahore for Islamabad on 15 March.

On the day itself, all such preparations failed. Nawaz Sharif defied his house arrest, and led an ever-swelling crowd of

supporters through hastily-removed police barricades and made his way along the Grand Trunk Road to Islamabad. Private television channels provided live coverage, as Sharif exhorted his supporters, and police abandoned their positions. As the demonstration gathered strength along the way Prime Minister Yusuf Raza Gilani came on national television to announce the restoration of the remaining judges by executive order. Nawaz Sharif called off the long march, much to the chagrin of JI and other revolutionaries who had been promised a storming of the Bastille. Zardari had bungled his way into a fight only to surrender. Chaudhry was restored to his office on 21 March, and the PML-N was back running the Punjab government by the end of the month. March was long this year, particularly for the PPP leadership.

Not Quite the Revolution

For all the fanfare of national mobilisation and civil society participation, the long march was for all intents and purposes a PML-N show. The independent electronic media went out of its way to construct an image of a national rising, but there was no denying the hard fact that the action was confined to the Lahore-Rawalpindi belt of north-central Punjab. What was not in the picture was the rest of the country – southern Punjab, most of Pakhtunkhwa, and all of Balochistan and Sindh. The lawyers' demonstrations in Karachi, supported by JI stalwarts, hardly attracted a few hundred people.

The richer segment of the richest region in Pakistan – one that traditionally held power through its control over the military and civil establishments – had spoken and claimed to speak for the nation. Many a battle-hardened political activist in Sindh and Balochistan was left wondering how long his or her long march would have lasted before it faced police batons and military bullets.

That this was no people's revolution was clear to anyone willing to suspend disbelief for a few moments. Revolutions are, of course, about challenging power, and face real power – not policemen who melt away. In this case that main centre of power in Pakistan – the military – was not mentioned except in admiration for its

helpful role. A duly elected civilian government already under fire from a recalcitrant military was the main target. This government could be rightly accused of blunders and high-handedness, but scarcely of being powerful. The military leadership emerged as the main intermediary, after PML-N signalled that it would accept only its guarantees as credible.

The Other Revolution

In the meanwhile, the other revolution brewing in Pakistan ceased its operations only briefly. The terrorist attack on the Sri Lankan cricket team in the beginning of March and then on a police academy at the end of the month, both in Lahore, provided chilling reminders of the spatial and temporal context of the long march. As it happens the dominant part of the political coalition assembled around the long march was made up of right wing forces that had outperformed one another in the post-Mumbai denial chorus. It might be uncharitable, but perhaps not entirely off the mark, to call the long march yet another act of implicit collective denial.

Most international commentary chastised Pakistani leaders for allowing themselves to get distracted from the more important task at hand – dealing with jihadi militancy which threatens state and society. It is undeniable that a victory for the militants will render Zardari's political insecurities and Nawaz Sharif's ambitions irrelevant, let alone leave any space for an “independent judiciary”. The jihadi militants have their own ideas about justice which they frequently demonstrate through public beheadings, shootings and floggings. But criticising politicians' myopia does not fully deal with the implications of the long march for the struggle against jihadi militancy.

Things have gone past the point, however, where jihadi militancy could be seen merely as an ideological problem. The world has “come out” on Pakistan, and in an unprecedented way in the last few weeks. Following the completion of President Barack Obama's policy review on Afghanistan and Pakistan, responsible us officials at the highest level have publicly and repeatedly pointed the finger at deep and operational links between Pakistani military agencies and jihadi militants.

They frequently speak about radical solutions such as the overhaul of Pakistan's intelligence agencies and the strengthening of civilian security forces including the police.

In this context, the long march has led to a changed balance of power within Pakistan that needs to be taken seriously. Obituaries of the PPP are premature, but it is undeniable that the party and its leadership have taken a battering. This is not good news because the party is the largest secular grouping in Pakistan, which is decidedly anti-jihadi in its culture and orientation. Nawaz Sharif's emergence is seen by some as grounds for comfort. His known past connections with Sunni extremists, and his current good relations with Saudi Arabia's royal family, JI, and other right wing groups are being portrayed as assets which could be used to tame the jihadis. Zardari's unpopularity in Punjab, on the other, is seen as a liability if the political battle with the militants is to be won.

The Sharif-Zardari comparison, however, is a superficial one if we take a more grounded view of the jihadi threat. The fact is that in this stand-off, while Zardari has been beaten, the political parties collectively have lost ground to other forces. The most obvious gainer is the military leadership which as guarantor has occupied a dominant position with respect to both parties. We wait to see what its pound of flesh will be. The lawyers and the "restored" judges too might feel that they have emerged as an autonomous power centre. Chaudhry is certainly likely to assert himself with respect to Zardari's government and it will not be surprising if the pressure on the PPP continues.

Other players have shown their power too, not least the "independent" electronic media which have continued to expound on the denial chorus or even pro-jihadi narrative. One can speculate whether the domination of the right wing view on the electronic media is motivated – that is, purposively organised by the state apparatus – or "innocently" ideological. In either case the effect is the same. A minority opinion, if measured in terms of electoral arithmetic, is projected as "the" national view. This view is defensive about jihadi militancy, hostile to good relations with

Afghanistan and India, and extremely prickly about any discussion of Pakistan's nuclear capacity. In other words, all things that led a former US secretary of state to call Pakistan "the world's migraine".

The Pound of Flesh?

In the meanwhile, much unnoticed amidst the political drama, the Pakistani federal police have been winning international accolades, including from the head of Interpol, for their performance after Mumbai (see <http://www.interpol.int/public/icpo/speeches/2009/SGpressStatement20090308.asp>).

Special praise is reserved for the Federal Investigation Agency, and Rehman Malik, the head of the Interior Ministry, who has been pursuing leads against jihadi networks, reportedly much to the discomfort of the military. He is also responsible for creating special police units to deal with terrorism – which, in turn, have been repeatedly targeted in suicide attacks. Rehman Malik is trusted by Zardari as he was picked out by Benazir Bhutto for promotion as a police officer in the 1990s when he led a team that captured the Al Qaida terrorist Ramzi Yousef who was later convicted in the US for a 1993 attempt at blowing up the World Trade Centre. Malik has also been behind covert moves with US support to change the line of command of the ISI.

Malik, however, is the target of a persistent media campaign on the part of the right wing opinion-makers. He was also singled out for attack as one of the few PPP leaders other than Zardari himself by Nawaz Sharif and his supporters during the long march. If there is to be a pound of flesh, it is most likely to be Malik's.

Contours of Failure

The immediate aftermath of the long march saw sugar-coated statements of good intent from the PPP and the PML-N. It is unlikely, however, if we have reached the end of hostilities, Nawaz Sharif may push ahead with his ambitions of becoming prime minister – though it is hard to see him succeed without significant help from the military. Zardari might continue to nurture his political insecurity, and get trapped into yet another defeat – this time on the issue of reducing presidential

powers in the constitution. Chaudhry will certainly play a role in the ensuing squabble. The military might well get its pound of flesh and more – stalling any serious effort at confronting the jihadi threat. In other words, denial will get its own regime.

Things have changed significantly since the 1990s, however, when the PPP, PML-N, the military and the judges last went on a merry-go-around. For one, as the long march and its media construction showed, political society has become further disarticulated in Pakistan. Political fragmentation along regional and ethnic lines is already a reality, and the coercion is fast becoming a very poor alternative to negotiated cohabitation. Secondly, in contrast with the 1990s Pakistan is today in the midst of an international military effort. While the Pakistani military's assessment of the staying power of foreign forces is based on past experiences, it is probably unrealistic today. A retreat from the struggle against jihadi militancy is no longer an option – and inability or unwillingness to act will certainly draw direct responses from foreign powers. Tragically, the "world's migraine" has now acquired a geography within Pakistan. The political constituency for all of the factors that the world sees as problematic is now restricted to a specific region. In the absence of a will to reform, that region's claim to speak for "the nation" will be challenged – with or without the interference of external powers.

Stepping back from the brink will require extraordinary acts of leadership on the part of Pakistani politicians – but only they and not the military, judiciary or the "independent" media can lead the change. Zardari will have to invest in his party, and to take chances with other leaders. He will have to accept that his hold over the party will be fluid and constantly negotiated. Political rather than administrative measures are more likely to keep him in power. Sharif will need to accept that he cannot become prime minister without the military's help if he fails to reach out to constituencies outside north-central Punjab. He will have to lead the right wing to a consensus against jihadi militancy, and rather than isolating Rehman Malik the PML-N will have to find its own for the Punjab provincial police.