

# Pakistan a Slave State



**Roedad Khan**

# **Pakistan A Slave State**

**ROEDAD KHAN**

**Volume - 1**

**Reproduced by Sani H. Panhwar**

## ABOUT THE AUTHOR

Roedad Khan was born on September 28, 1923 into a Yusufzai Pakhtun family in district Mardan, in the North West Frontier Province in the village of Hoti on the bank of the Kalpani. His grand father, Karim Dad Khan, as the village Malik, was authorized to collect land revenue from the landowners and deposit it in the treasury. His father, Rahim Dad Khan, was the first member of the family to be sent to an English medium school. He was also the first member of the family to join the Provincial civil service.

In 1939, Roedad Khan graduated from local high school and went to attend Forman Christian College and gained B.A. in English Literature in 1942. Respecting his father's wishes, Khan attended the Aligarh Muslim University and gained M.A. in English History in 1946. Upon his return to Mardan, Khan taught English history at Islamia College, Peshawar and opted Pakistan's citizenship in 1947. In 1949, Khan joined Central Superior Services of Pakistan and has held several important appointments including those of Chief Secretary Sindh; Secretary Ministry of Interior; Secretary General, Ministry of Interior; Federal Minister in charge of Accountability; and Advisor to the Prime Minister on Accountability. During his long career, Khan served with five Presidents of Pakistan and three Prime ministers of Pakistan. However, his career was at peak when he served with Chief Martial Law Administrator of Pakistan General Muhammad Zia-ul-Haq, responsible for country's internal security while an intelligence efforts were built up to sabotage Soviet military intervention in Afghanistan Soviet Republic. Khan, a part of General's Zia policy to enhance the secret establishment, Khan served as its elite member.

According to Khan: *"During my service I got to know two Prime Ministers Benazir and Nawaz Sharif and six Presidents - Ayub Khan, Yahya Khan, Z. A. Bhutto, Zia ul Haq, Ghulam Ishaq Khan and Farooq Leghari in varying measure. They all displayed vast differences in personality, character and style. Each one of them has directly or indirectly contributed to our generation's anguish and sense of betrayal, our loss of confidence in our rulers, in our country, in our future, in our selves and the souring of the dream of Pakistan. Every now and then, I put pen to paper and unburden myself of the things that weigh upon my spirit: The sense of being in a blind alley, the perception of our collective guilt, and the knowledge of all that has been irrevocably lost."*

Khan has written three book and hundreds of articles, his first book *"Pakistan - A Dream Gone Sour"* (263 pages) was published in 1997 by Oxford University press,

his second book *“The American Papers, Secret and Confidential India, Pakistan, Bangladesh, 1965-1973.”* This 997 page volume contains massive compilation of secret and confidential documents recently declassified. And his third book is *“The British Papers, Secret and Confidential; India, Pakistan, Bangladesh Documents 1958-1969.”*

We are reproducing some of his articles in four volumes, these articles show the in-depth knowledge and understating of the issues Pakistan has today and Khan have suggested the solutions for most of the problems nation is facing.

I hope you will enjoy reading the articles.

Sani Panhwar  
California 2013

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## **Sitting on the fence is no option**

**April 03, 2013**

In 1959, Professor Arnold J. Toynbee was invited by the Peshawar University to spend a month on the campus to deliver a series of lectures on a subject of his own choice. I was Deputy Commissioner, Peshawar. Once a week, thanks to my friend, Abu Kureshi, who was his guide and constant companion, Professor Toynbee would do me the honour of coming to my official residence on Fort Road.

Professor Toynbee was a very simple, unpretentious and unassuming man. His company was a treat and his friendship an honour to enjoy. Meeting him was like meeting history. Having a conversation with him was a little like getting to volley with John McEnroe. Trying to keep up was hopeless, but it was exhilarating just to be on the court with him. Of Toynbee, Allan Nevins wrote: "Standing on his Everest, he is more than a historian; he is a great deal of a Prophet." He would survey the past, produce a bird's eye view of mankind's history with a view to gaining greater insight into the present.

Pakistan was under martial law. Democracy had been derailed by power-hungry generals. Talking about democracy, Toynbee said: "Asians and Africans had constructed a syllogism, which Aristotle would certainly have disallowed as being illogical. 'The West European peoples live under democratic political regimes; the West European peoples are powerful; therefore, democracy is a source of power; therefore, we Asian and Africans must become democratic if we are to attain our objective of getting even with the West in competition for power and for the advantages that power brings with it.'" This argument, Toynbee said, is obviously unsound. The truth, perhaps, is that democracy, so far from having been one of the sources of the Western peoples' power, has been one of the luxuries that their power has enabled them to afford. The source of their power has been their marriage of technology with science, the opportunity for their democracy has been the margin of strength, wealth, and security that their power derived from applied science has created for them. Unlike the belief that science has been a source of Western power, the belief that democracy has been a source of Western power is a fallacy. Democracy had been a Western amenity that Western power has brought within the West's reach.

Election, Professor Toynbee said, is not the answer. The idea that you can just hold elections while everything remains colonial, feudal and medieval, means you won't get democracy, but some perversion of it. Elections are necessary, but not sufficient; they alone do not make a democracy. Creating a democracy requires a free and independent country, an inviolable constitution, a sustained commitment of time and money to develop all the necessary elements: a transparent executive branch accountable to Parliament, a powerful and competent legislature answerable to the electorate, a strong neutral judiciary, and a free press.

To assume that a popular vote will automatically bring about a democratic metamorphosis would be to condemn the country to a repeat of the cycle seen so often in Pakistan: a short-lived period of corrupt, civilian rule, a descent into chaos and then army intervention.

Perhaps no form of government, Toynbee said, needs great leaders so much as democracy. It is our misfortune that at a time when leadership is desperately needed to cope with matters of vital importance and put the country back on the democratic path, Pakistan is ruled by a corrupt, criminal syndicate. To no nation has fate been more malignant than to Pakistan. With few exceptions, it has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military dictators, political illiterates and carpet-baggers. No wonder, Pakistan is today no more than a poor, broken toy floating on an ocean of uncertainty.

The corrupt leadership ruling Pakistan has proved unable to govern a country rent by political, ethnic, economic, and social conflicts. Today, Pakistan is a nightmare of despair and despondency, and in doubt about its future. The rich are getting richer, while the poor, well, they are still dirt poor and are sinking deeper and deeper into a black hole of abject poverty. The country appears to be adrift, lacking confidence about its future. Disaster and frustration roam the political landscape. Look into the eyes of a Pakistani today and you will see a smouldering rage.

In Pakistan, nothing has so altered the fortunes of so many so suddenly as political power. Here money and power seek each other. No wonder, the business of politics attracts the scum of the community. These are practitioners of the art of grand larceny, loot and plunder in broad daylight with no fear of accountability. The rich are evading taxes, while the poor are searching the trash for food.

In these harsh and difficult political times, the question of leadership's character is at the centre of our national concerns. For a person, party or nation, the

element essential to success is character. "Fame is a vapour, popularity an accident," wrote Horace Greeley, "riches take wing, and only character endures." "In a President character is everything," Peggy Noonan writes in her assessment of Ronald Reagan. "A President does not have to be brilliant. Harry Truman was not brilliant and he helped save Western Europe from Stalin. He does not have to be clever, you can hire clever.....but you cannot rent a strong moral sense. You can't acquire it in the presidency. You carry it with you." If a President, Toynbee said, has integrity, if he has credibility and if he is believable, nothing else matters. If he has no integrity and no credibility, and if there is a gap between what he says and what he does, nothing else matters and he cannot govern.

Today, Pakistan stands in twilight, awaiting the seemingly inevitable descent of darkness. Is the dark long night about to end? And has the time come for us to leave the valley of despair and climb the mountain so that we can see the glory of another dawn? The darkest hour is just before the dawn and as generally happens in history, it is at the darkest hour that a bright star arises when you had almost given up hope. When a crisis comes, a kind of tidal wave sweeps the man of character to the forefront. Cometh the hour, cometh the man. Today, we have both. The hour has struck. And the man has appeared. The hour has found the man, who has the will and the power to restore the Pakistan dream.

Today, Imran Khan incarnates all our hopes. He epitomises the national struggle. He embodies the nation's romantic dream of itself. He presents himself before the nation as a glowing beacon against the forces of darkness. It seems that, as in the case of Churchill in 1940, the last 15 years or so he spent in political wilderness had been but a preparation for this hour and for this trial. A window of hope has opened for Pakistan. All the men of yesterday and all the men of day before yesterday, who have ganged up against Imran, are destined for the dustbin.

Imran is the only truly national figure in the bleak, fragmented Pakistani landscape. In this atmosphere of gloom and doom, destiny is beckoning him. He is the right man, at the right time and the right place to shake up this stagnant nation's sclerotic status quo and dislodge the corrupt leaders catapulted to the summit of power in tragic circumstances. It is our good fortune to have found the right leader whose character, integrity, credibility and ability fit the tide of history. He has courage, stamina, patriotism, idealism and habit of hard work that have become part of his being.

Now that the election schedule has been announced, a sense of high intensity chaos prevails in the capital. Pakistan is preparing for a showdown. It will be no ordinary election. It will be the defining moment for the destiny of the people and the country. The political parties will face an influx of young, angry,

unpredictable voters. The stage is set for a collision between those who belong to the future and those who represent the forces of darkness and the dead past. In this Manichean struggle, you have to choose sides. Neutrality is immoral and is not an option.

We live in a profoundly precarious country; it is in deep, deep trouble. Sitting on the fence is no option. Attentistes (those who wait or fence sitters) must make up their minds. The moment has come to join the battle for Pakistan. Now that young people, men and women, in particular, have come out in support of Imran, the winds of change have begun to blow. Things will change. The status quo will shift, the corrupt regime will crumble. The long nightmare will be over. It will be morning once again in Pakistan. This is the last chance. The last battle.

## True guardians of the constitution

December 14, 2012

*“The Constitution is what the  
Supreme Court says it is.”  
- Former Chief Justice  
Charles Evans Hughes*

In 1787, 39 men signed the Constitution of the United States, the longest-lasting national government on paper. But any written document, like a contract, is subject to interpretation. So, how about the constitution? How should it be interpreted? Former Chief Justice Charles Evans Hughes provides a modern answer to that question. Hughes once stated in a speech in 1907 that “we are under a constitution, but the constitution is what the judges say it is.....” Today, though Hughes is dead, he leads the chorus of jurists and judicial activists that seek societal change and desire the sanction of the constitution to do it.

Prior to Syed Zafar Ali Shah’s case, there was almost three decades of settled law to the effect that even though there were certain salient features of the constitution, no constitutional amendment could be struck down by the superior judiciary as being violative of those features. The remedy lay in the political and not the judicial process. The appeal in such cases was to be made to the people, not the courts. A constitutional amendment posed a political question, which could be resolved only through the normal mechanisms of parliamentary democracy and free elections.

In Syed Zafar Ali Shah’s case, the Supreme Court held that, “we have stated in unambiguous terms in the Short Order that the Constitution of Pakistan is the supreme law of the land and its basic features, i.e. independence of judiciary, federalism and parliamentary form of government blended with Islamic provisions cannot be altered even by Parliament.” In the Mahmood Khan Achakzai’s case, the court held that Parliament did not have the power to amend the basic characteristics of federalism, parliamentary democracy and Islamic provisions as contained in the objective resolution/preamble to the constitution of 1973, which now stands as substantive part of the constitution.

The Indian Supreme Court expressed similar views in the Kesavananda vs. State of Kerala case that follows: -

“The true position,” it held, “is that every provision of the constitution can be amended provided in the result the basic foundation and structure of the constitution remains the same. The basic structure may be said to consist of the

following features:

- 1 Supremacy of the constitution;
- 2 Republican and democratic form of government;
- 3 Special character of the constitution;
- 4 Separation of powers between the legislature, the executive, and the judiciary; and
- 5 Federal character of the constitution.”

The net result is that, in the considered view of the Indian Supreme Court, the Indian Parliament cannot alter the basic structure or framework of the constitution.

The Kesavananda judgment is a landmark decision of the Supreme Court of India that outlined the ‘basic structure’ doctrine of the constitution. Writing for the majority, Chief Justice Sikri asserted through this doctrine that the constitution is built on a basic foundation consisting of the dignity and freedom of the individual and hence, no amendment can destroy the fundamental rights of individuals. The ‘basic structure’ doctrine forms the basis of power of the Indian judiciary to review, and strike down, amendment to the Constitution of India enacted by the Indian Parliament that conflict with or seek to alter this ‘basic structure’ of the constitution.

The 13-judge constitutional bench of the Supreme Court deliberated on the limitations, if any, of the powers of the elected representatives of the people and nature of the fundamental rights of an individual. The court held that while Parliament has “wide” powers, it did not have the power to destroy or emasculate the basic elements or fundamental features of the constitution.

When the Kesavananda case was decided, the underlined apprehension of the majority bench that elected representatives could not be trusted to act responsibly was perceived to be unprecedented. However, the passage of the 39th Amendment by Parliament proved that, in fact, this apprehension was well founded. In *Indira Nehru Gandhi vs. Raj Narain*, a constitutional bench of the Supreme Court used the ‘basic structure’ doctrine to strike down the 39th Amendment and paved the way for the restoration of Indian democracy.

Before the judicial revolution, a pliant Supreme Court of Pakistan had overruled the *Achakzai* and *Zafar Ali Shah* cases and disregarded the view held by the Indian Supreme Court. “The government is functioning in accordance with the constitution,” the court observed. “If the petition is accepted and 17th Amendment struck down, this entire constitutional edifice will collapse. The President, the Prime Minister, the Governors, the Chief Ministers, the

Parliamentarians, the Members of the Provincial Assemblies, three Service Chiefs and Judges of the superior judiciary appointed by the President, all will cease to hold office at once. The government of the country will cease to function and total anarchy will prevail. The government under the constitution will be undone and a vacuum will be created. This is not the function of the judiciary. In short, accepting the petition and striking down the 17th Amendment would invite chaos and create a constitutional crisis. The court must allow the government to function and the institutions to gain strength and mature with time.....If the petitioners have a grievance, their remedy lies with Parliament and failing that in the court of the people and not with the court!"

This infamous judgment of the Supreme Court gives a rubber-stamp Parliament the ultimate power to emasculate the basic elements or fundamental features of our constitution. It would now be free, under the garb of amendment, to change a democratic government into a dictatorship or hereditary monarchy. It could do away with the Islamic provisions of the constitution and change the federal constitution of Pakistan into a unitary form. It could even subordinate the superior judiciary to the executive and make the Supreme Court the judicial arm of the government. In other words, it could mutilate the constitution and change it beyond all recognition. It is scary!

The judgment raises a central question: if the Supreme Court does not intervene and does not strike down such amendments, despite the fact of their inconsistency with the fundamental features of the constitution, who will? The judges of the Supreme Court are bound by their oath of office to preserve, protect and defend the constitution. The constitution places that responsibility squarely on the shoulders of the Supreme Court, which has the power, in fact the duty, to strike down any legislation enacted by Parliament which, in its view, is repugnant to the constitution.

In Pakistan, as in all federations, the Supreme Court plays a crucial role. It is the sole and unique tribunal of the nation. It is more than a usual law court. It is primarily a political institution in whose keeping lies the destiny of a great nation. The peace, prosperity, and very existence of the federation rest continually in the hands of the Supreme Court judges. Without them, the constitution would be a dead letter; it is to them that the executive appeals to resist the encroachment of Parliament; Parliament to defend itself against the assaults of the executive; the federal government to make the provinces obey it; the provinces to rebuff the exaggerated pretensions of the federal government, public interest against private interest, etc. They decide whether you and I shall live or die. The job of the Supreme Court is not to protect the system. Its job is to interpret and defend the constitution. "Fiat justitia Ruat coelum", (let justice be

done if Heavens fall). Heavens won't fall. That is for sure. It will be morning once again in Pakistan.

The fear of conspiracy against the Supreme Court hangs heavy in the air. Counter-revolution does not give up easily. Attempts are being made to subvert the people's will and overturn the judicial revolution. Our history can show no precedent for so foul a plot as that which this corrupt, dying regime has hatched against the Supreme Court.

On President Asif Zardari's watch, Pakistan is fast descending into chaos and economic catastrophe. Evidence of a state tottering on the edge of complete dysfunction is apparent everywhere in Pakistan. The mood is of futility and despair. President Zardari, symbol of the unity of the federation, has declared war on the Supreme Court. One thing is clear: the true guardians of the constitution are the people of Pakistan. People power alone can protect the Supreme Court from corrupt rulers.



## Quaid's visit to Staff College Quetta

November 22, 2012

Every time General Ashfaq Parvez Kayani, the Chief of Army Staff, speaks, and he generally speaks on sensitive political issues, he creates confusion all around and makes things worse for himself. As I read his incredible address at the GHQ, I could only shake my head in disbelief. Exposing senior army officers to highly controversial political issues and then issuing the statement to the press is bad enough, but denying it with a straight face is tantamount to insulting the intelligence of people.

General Kayani's statement published on November 5 is widely interpreted as a pointed attack on the Supreme Court. Without directly referring to the court, the General said that the country was passing through a "defining phase" and issued a veiled warning of "consequences if the state institutions did not work in harmony." "No individual or institution has the monopoly to decide what is right or wrong in defining the ultimate national interest," he said. "The fundamental principle," he said, that no one is guilty until proven should not be forgotten, a pointed reference to the judiciary. It is backhanded support to the retired Generals, who are facing criminal charges in an election-rigging case dating from the 1990s. General Kayani is quite obviously seeking to establish red lines for the Supreme Court.

Exactly 64 years ago, Quaid-i-Azam Mohammad Ali Jinnah, Founder of Pakistan and Father of the Nation, visited Staff College Quetta and, with uncanny prescience, warned senior officers against involvement in politics and the affairs of government. He expressed his alarm at the casual attitude of "one or two very high-ranking officers", and warned the assembled officers that some of them were not aware of the implications of their oath to Pakistan and promptly read it out to them. And he added: "I should like you to study the constitution, which is in force in Pakistan at present and understand its true constitutional and legal implications when you say that you will be faithful to the constitution of the Dominion."

Earlier, on the day of Pakistan's independence, August 14, 1947, Mr Jinnah, who had just become Governor General, scolded one young army officer. The officer had complained that "instead of giving us the opportunity to serve our country in positions where our natural talents and native genius could be used to the greatest advantage, important posts are being entrusted, as had been done in the past, to foreigners. British officers have been appointed to head the three fighting

services, and a number of other foreigners are in key senior appointments. This was not our understanding of how Pakistan should be run.”

Mr Jinnah, it appears, had a presentiment of sorts and was deliberate in his answer. He warned the officer concerned “not to forget that the armed forces were the servants of the people and you do not make national policy; it is we, the civilians, who decide these issues and it is your duty to carry out these tasks with which you are entrusted.”

The Pakistan Army is a people’s army, in the sense that it belongs to the people of Pakistan, who take a jealous and proprietary interest in it. It is not so much an arm of the executive branch as it is an arm of the people of Pakistan. It is the only shield we have against foreign aggression. Why politicise it? Why expose it to the rough and tumble of politics?

Isn’t it ironical that 64 years after Mr Jinnah’s visit to the Staff College and the policy statement he made on the role of the army in the affairs of government, when a petitioner spoke of the army’s respect for judiciary, the Chief Justice quipped: “Yes, we witnessed it yesterday (Monday November 5).” The Chief Justice said that the Supreme Court had final authority in all legal and constitutional matters. This authority, he said, is enshrined in the constitution and is unassailable.

In Pakistan, as in all federations, the Supreme Court plays a crucial role. It is the sole and unique tribunal of the nation. The peace, prosperity, and very existence of the federation rest continually in the hands of the Supreme Court judges. Without them, the constitution would be a dead letter; it is to them that the executive appeals to resist the encroachment of Parliament; Parliament to defend itself against the assaults of the executive; the federal government to make the provinces obey it; the provinces to rebuff the exaggerated pretensions of the federal government, public interest against private interest etc. They decide whether you and I shall live or die. Their power is immense. But they are all-powerful only so long as the people and the government consent to obey the laws and implement the decisions of the court. They can do nothing if they scorn it.

It is now abundantly clear that the executive is determined to defy the apex court. Attempts are being made to subvert the people’s will and overturn the judicial revolution. It is the last desperate gamble of a corrupt fascist autocracy.

Chief Justice Iftikhar Mohammad Chaudhry faces an uphill task. An awesome responsibility rests on his shoulders. The survival of the federation as a democratic, progressive state now depends on his court. The judicial revolution

triggered by him is irreversible. Let there be no doubt about it. Any attempt to undo it will be resisted. The people have planted an independent judiciary in the path of our turbulent democracy. No longer would the executive be a law unto itself.

Today, there are many now willing to spill their blood to defend their hard-earned independent judiciary. Try to destroy the independence of judiciary, and the moment is not far off when this beautiful country will be plunged into a civil war. The Supreme Court should be the barrier that protects the citizens from the winds of evil and tyranny. If we allow it to be stymied or sabotaged by corrupt rulers or permit it to be desecrated or demeaned and it crumbles, who will be able to stand in the winds that follow?

Not many people know that a landmark judgment of an earlier Supreme Court, gives the rubber-stamp Parliament the ultimate power to emasculate the basic elements or fundamental features of our constitution. It would now be free, under the garb of amendment, to change a democratic government into a dictatorship or hereditary monarchy. It could do away with the Islamic provisions of the constitution and change the federal constitution of Pakistan into a unitary form. It could even subordinate the superior judiciary to the executive and make the Supreme Court the judicial arm of the government. In other words, it could mutilate the constitution and change it beyond all recognition. It is scary! The judges of the Supreme Court are bound by their oath of office to preserve, protect and defend the constitution. The constitution places that responsibility squarely on the shoulders of the Supreme Court, which has the power, in fact the duty, to strike down any legislation enacted by Parliament that, in its view, is repugnant to the constitution. The Supreme Court is more than the usual law court. In its keeping lies the destiny of Pakistan. Its decrees mark the boundaries between the various branches of state. Upon its action, depends the proper functioning of the federation; in fact, its very survival.

The power to determine constitutionality of amendments made by Parliament is of the very essence of judicial duty. In the midst of civil strife and war, as Burke pointed out in his reflections on the French revolution, "laws are commanded to hold their tongue amongst arms. But in peace time, the law is supreme and its interpretation is the exclusive prerogative of the civil courts." Now that "democracy" has been restored and law is unfettered, and supreme once again, the court must exercise its power to restore the balance between "the one, the few and the many."

Is there any remedy for this state of things? None. Because a corrupt presidency and a corrupt executive are in league with a rubber-stamp Parliament. Ultimately, the true guardians of the constitution and the Supreme Court are the people of

Pakistan. People power alone can protect the Supreme Court from corrupt rulers and corrupt power-hungry Generals. Our rulers know that the street is all they have to fear. Confronting them has now become a patriotic duty. Today, there is no other path for our country, but the one which led to the restoration of Chief Justice Iftikhar Chaudhry and other deposed judges.

## Judging the sovereign

October 23, 2012

Those who hold power and shape the destiny of others should never be judged in a moment of misfortune or defeat. If seen as a corpse hung by the feet, even Mussolini could arouse some pity. They must be judged when they are alive and in power. Sometimes, once in a long while, you get a chance to serve your country. Few people had been offered the opportunity that lay open to President Asif Zardari. He blew it. He has been in power for four long years and must be held to account now. This strikes me as a good time to assess his performance.

Fragile countries, like Pakistan, can ill afford the loss of the best and the brightest of their leaders. I have been frightened for my country only a few times in my life: in 1948 when Mr Jinnah died. I never saw so many people crying, so visibly shaken by sadness. In 1971, it was the secession of East Pakistan. And horror of horrors, December 27, 2007, when Benazir was assassinated, and a year later, Zardari was elected as the President of Pakistan. This last moment was the scariest of all. The tragic assassination of Benazir, a stain on the nation's conscience, still haunts the people. Tragically, her death is fast becoming a non-event. It seems no one is interested in unravelling the mystery surrounding her assassination or unmasking the perpetrator of this dastardly crime.

With the passing away of Benazir, either by luck, design, happenstance, divine grace or intervention, the nation's constitutional process produced an unexpected, ill-equipped, least qualified, corrupt President, who seeks in vain to fill the gaping void left behind by Benazir's tragic death.

To no nation has fate been more malignant than to Pakistan. With few exceptions, Pakistan has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military dictators, political illiterates and carpetbaggers. With all her failings, Benazir had undoubted leadership qualities - charisma, courage, political acumen and articulation. After her tragic assassination, Mr Zardari's sudden ascension to the presidency and party leadership caused panic among the people. Many hoped that Zardari, once elected to the highest office, would have a sense of his own smallness in the sweep of events and would contravene Lord Acton's dictum and grow humbler and wiser. Unfortunately, that has not happened.

All Presidents fall from their honeymoon highs, but no elected President in history has fallen this far, this fast. All Presidents are opposed, of course, and

many are disliked; but few suffer widespread attacks on their personal integrity or veracity. President Zardari is one of those few. At the heart of leadership is the leader's character. He must always walk on a straight line. Honour and probity must be his polar star. People will entrust their hopes and dreams to another person only if they believe him, if they think he is a reliable vessel. His character - demonstrated through deeds more than words - is at the heart of it. Zardari has failed all these character tests.

How would the first draft of history assess Mr. Zardari's performance in office? Zardari year one began with panic among the people. At the end of year four, the nation is pursued and haunted by a profound, unrelenting fear of anarchy. There is an element of dread in the air. The public mood remains sour. Anxiety abounds. Anxiety is not personal. It is about the future of Pakistan. Pessimism is the flower of the year in Pakistan. Precious few people are daring to voice optimism about the outlook over the next six months. The streets of Pakistan throb with fear, tension and agitation. The country is in an apocalyptic mood.

The presidency is a bacterium. It finds the open wounds in the people who hold it. It infects them. The resulting scandals infect the presidency and the country. The person with the fewest wounds generally does best in the presidency and is best for the country. Zardari entered the presidency with festering sores and slender qualifications. In a President, character matters more than anything else. He has his character forged before he enters the presidency. He cannot acquire it in the presidency.

A President doesn't have to be a Harvard graduate. He doesn't have to be a man of great ability. But he must have integrity and credibility in order to succeed. Zardari lacks both. He also faces grave charges of corruption at home and abroad. Without the cover of Article 248, he would be in serious trouble today. How can he govern? How can he inspire his people? How can he provide leadership? A Japanese Prime Minister in similar circumstances would have resigned and committed hara-kiri long ago.

The presidency is more than an honour; it is more than an office. It is a charge to keep. Zardari, known for his political astuteness, is a ruthless practitioner of Machiavellian statecraft and evokes memories of the Florentine statesman Machiavelli never advised the 'Prince' to loot and plunder his country. Thrown there by accident, Zardari is grotesquely unsuited for his new position in this day and age. He has been weighed in the balance and found wanting. With Zardari in the presidency, one doesn't have to read the tea leaves for a glimpse of our future. I fear for thee, my country!

Zardari's presidency will go down in history as a case study in the bankruptcy of leadership. He has eroded people's faith in themselves as citizens of a sovereign, independent, democratic country. The result is the mess we are in today. The country appears to be adrift, lacking confidence about its future. Never before has public confidence in the country's future sunk so low.

These are critical days in Pakistan. There is no steady hand on the tiller of government. The survival of the country, its sovereignty, its stunted democracy, its hard-won independent judiciary, all are on the line. The country is gripped by fear and uncertainty and is as near to anarchy as society can approach without dissolution.

The economic performance of the Zardari government during the last four years has been dismal. The budget deficit, the balance of trade, and the inflation rate, are cause for serious concern. Yet as Macbeth remarks after seeing the witches, "present fears are less than horrible imaginings." Poverty has deepened. While life at the top gets cushier, millions of educated unemployed, the flower of our nation, and those at the bottom of the social ladder, are fleeing the country and desperately trying to escape to the false paradises of the Middle East and the West.

The simple story of Pakistan is this: the rich are getting richer, the richest of the rich are getting still richer, the super rich are extravagant, dolce vita spendthrift, their loyalty is to their pockets, not to the state, the poor, who already live on the precipice, are becoming poorer and more numerous, and the middle class is being hollowed out. Countries around the world provide frightening examples of what happens to societies when they reach the level of inequality toward which we are fast moving. Meanwhile, Pakistan's fraudulent democracy putters along the youth are tired of aging, sclerotic, corrupt leaders, who protect their interests at the expense of the rest of society. Change is in the air.

Election under Zardari is not the answer to our problems. It will be neither free, nor fair, nor impartial. That is for sure! The result will be a foregone conclusion. Anybody, who thinks election under Zardari will be free, fair or impartial, must have his head examined.

It is now abundantly clear that Zardari is not worthy of the trust placed in him by the people of Pakistan. He carries a serious baggage. Dogged for years by charges of corruption until they were abruptly dropped under NRO, to the anger and shock of the people of Pakistan. With the demise of NRO, all the corruption cases pending against him at home and abroad have resurfaced. No wonder, Zardari is moving heaven and earth to obstruct implementation of the apex court directives.

Our country is in deep, deep trouble. The people must understand the full extent of the danger, which threatens the country. Farewell our dreams, our sublime illusions, our hopes, our independence and our sovereignty. Today, the survival of the country, its hard-won democracy, its independent judiciary, its liberties all are on the line. No one is safe, and, perhaps, no place on earth more closely resembles Hobbes's description of the state of nature in which life is "nasty, brutish and short."

Our cupboard is bare. The only antidote to this debilitating situation is to throw out this corrupt government and give the people a chance to elect their representatives in an environment free from corruption, fear, coercion or intimidation. Everybody knows this is the only effective answer. The wrong answer is to allow this corrupt government to go on plunging towards the abyss.



## **In dire need of good leadership**

**Thursday, August 16, 2012**

In dire need of good leadership Memories come back to me like shards of glass, prompting tears, sorrow, and anger. My sadness in following the events since independence is deepened by bittersweet memories of the euphoria of the Pakistan dream that was being dreamed in the heady days of 1947 when Pakistan was so very new and hopes were so very high.

I was born in slavery. On August 14, 1947, I was a free man, proud citizen of a free, independent, and sovereign country which I could call my own, a country I could live for and die for. I was young, twenty-four to be precise, full of joie de vivre, idealism, hope and ambition. For me and, like me, for all those who belonged to my generation, Pakistan symbolised all our wishes and expectations. We all shared a seemingly unassailable certainty. We believed in Pakistan. To quote Wordsworth: 'bliss was it in that dawn to be alive. But to be young was very heaven.'

On that day, we dreamed of a shining city on the hill and the distant bright stars. It was a day that should never have ended. For it was like a dream come true, and carried with it a sense of pride, of excitement, of satisfaction, and of jubilation that it is doubtful whether any other can ever come up to it. On that day, over a century and a half of British rule came to an end. The Union Jack was lowered for the last time. I saw the sun set on the British Empire. I witnessed its dissolution and the emergence of two independent sovereign countries.

As a young subordinate judge, I presided over the referendum held in Swabi on July 6, 1947, to decide the future of my home province. The result was a foregone conclusion. The province was in the grip of wild excitement. An atmosphere of mystic frenzy prevailed everywhere. Students and teachers, young and old, men and women, poured their idealistic zeal into the emotionalism of Pakistan. We perceived Pakistan as a bright dream, a passionate goal, the vision of paradise on earth.

What went wrong? Why did Pakistan become a land of opportunities for the corrupt, unscrupulous and unprincipled? Such questions continue to haunt me.

Our generation has nothing to be proud of. We are leaving behind a splintered, impoverished country, plagued by political, ethnic and sectarian divisions. Pakistan, born at midnight as a sovereign, independent, democratic country, is

today neither sovereign, nor independent, nor even democratic.

Today it is not just a “rentier state”, not just a client state. It is a slave state, ill-led, ill-governed by corrupt, power-hungry junta and a puppet government set up by Washington. Pakistan has become one vast Bedlam.

Looted and plundered and ravaged again and again by corrupt rulers, Pakistan bounced back again and again and managed to survive. Surveying the past, Pakistan looks somewhat wistfully and longingly at the progress made by some other countries in our part of the world. It is not inconceivable that if Fate had been less malignant and our rulers less corrupt and greedy, today Pakistan might have been not only more secure and stable, but also more prosperous and more advanced in all that makes life worth living.

This is the bleakest era in the history of Pakistan since 1971. At a time when leadership is desperately needed to cope with matters of vital importance and put the country back on the right path, Pakistan is ruled by a president who lacks both integrity and credibility and seems oblivious to the realities of his awesome responsibilities and is interested only in perpetuating himself and protecting his wealth. The nation is breaking down. Already people are anxiously scanning the horizon waiting to see if the cavalry will come riding down the hill to save Pakistan.

Look where Pakistan risks going on Zardari’s watch, in contrast to what she was about to become a decade ago. The Supreme Court defied, all our institutions trampled upon, our international prestige debased and a bankrupt economy. All the pillars of state, with the exception of the Supreme Court and the media, are dysfunctional. The president, the symbol of the unity of the Federation, is mired in corruption. Parliament, the “embodiment of the will of the people”, is fake like a Potemkin village.

Independent judiciary and media do not suit corrupt rulers. No wonder, both are under attack in “independent” Pakistan.

This is a moment of deep anguish for all Pakistanis. Zardari, Mr Jinnah’s unworthy successor, has pushed us to despair. The nation has lived so long in the embrace of death that violence has become more normal than tranquillity. Disaster and frustration roam the country’s political landscape. Talk today is of a vanished dignity, of a nation diminished in ways not previously imaginable. It is almost as if no one wants to acknowledge a sad end to what once seemed a beautiful dream.

Nature abhors a vacuum. So does politics. When Weimar Germany was buffeted by civil unrest and commotion, its tenuous democracy was discarded in favour of Nazism. If we are not vigilant, some such thing could happen in this country. When state institutions wither away, when respect for law and order declines, and a void is created, the devil of force, in the words of Percival Spear, leaps into its place as the only possible substitute. If the original breakdown of authority is caused by a ferment of ideas, a genuine revolution like the French may result. If it is simply due to decrepitude of authority, the solution is the substitution of fresh authority, but whether the substitution is external or internal depends upon prevailing circumstances.

Pakistan is a case of failed leadership, not failed state. Until we get the right kind of leadership, Pakistan will continue to oscillate between long periods of authoritarianism and bouts of corrupt and sham democracy. I have this palpable feeling that the Maoist prescription – things have to get worse before they could get better – is being tested in Pakistan today.

We are in a period of moral lassitude which has brought the profession of politics into disrepute.

Pakistan has turned cynical and has jettisoned the last vestiges of idealism on which the people had hoped the nation's polity would be based. It is in deep, deep trouble, is going down the tube and nobody cares. One thing is clear: The 'Wechselstimmung' or the mood for change is unmistakable.

Another wind, now approaching gale force, is blowing through the country. This nation asks for change. And change now.

My generation may carry on for a little while longer. Some of us already feel the icy touch of death pass by in darkness. Being over eighty and fast approaching ninety, is like being engaged in a war. All your friends are gone or going, and you survive amongst the dead and the dying as on a battlefield. Our day will soon be over and we will yield place to others, mostly young, who will live their lives and carry their burdens to the next stage of the journey. They have a long way to go and much leeway to make up.

And they have to hurry up for the time at their disposal is limited and the pace of the world ever faster.

They are our only hope.

To borrow one of Mao's phrases "the road is tortuous, but the future is bright." If we are not careful, the road ahead of us maybe more tortuous and the future

darker than anticipated. "What will happen to the next generation if it all fails?" Mao asked. "There maybe a foul wind and a rain of blood. How will you cope? Heaven only knows."

## **'Liberty once lost'**

**Tuesday, July 17, 2012**

'Liberty once lost' What US Secretary of State Hillary Clinton has told President Hamid Karzai in Kabul - "Please know that the United States will be your friend and ally" - has a ring of deja vu about it. We in Pakistan have heard all this hypocritical talk before. Afghans know they are winning the war. They also know how to deal with foreign armies of occupation. "How true it is that it is not the losing that hurts most, but to whom you lose."

Flashback to May 1, 1947, when Quaid-e-Azam Muhammad Ali Jinnah received two American visitors at his Bombay residence. They were Raymond A Hare, head of the State Department's Division of South Asian Affairs and Thomas E Weil, second secretary of the US embassy in India. He sought to impress on his visitors that the emergence of an independent, sovereign Pakistan would be in consonance with American interests. Pakistan, as a Muslim country, would be a bulwark against Soviet aggression. This was the beginning of our romance with the United States.

We remained blissfully unaware of the determination of the US joint chiefs of staff that in the event of war, the United States had no intention of rushing to the assistance of Pakistan, even if Pakistan were to be one of the countries attacked by the Soviet Union. Our mistaken belief that the United States would rush to our help if India attacked Pakistan was shattered when Indian troops crossed our border in 1971 and physically entered East Pakistan. America, our ally and long-time friend, did nothing to help repel Indian aggression.

The Farewell Address of George Washington will ever remain an important legacy for infant nations. In that notable testament, the Father of the American Republic cautioned that "an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter." The strong might have interests and objectives that could be of little real importance to the weak; but once the latter submitted to acting the role of a satellite, it would find it no easy task to avoid being used as a tool by the strong."

George Washington highlighted the dangers inherent in an unequal relationship between a very strong nation and a weak nation and the folly of a weak nation succumbing to the belief that "real favours" would flow to it from the strong partner. It is folly in one nation, George Washington observed, to look for disinterested favours from another ... it must pay with a portion of its

independence for whatever it may accept under that character. No truer words have been spoken on the subject.

One thing is clear: there can be no friendship between the strong and the weak. There can no friendship between unequals, neither in private life nor in public life. "The strong do what they can," the Athenians told the intractable Melians, "and the weak must suffer what they must."

If you want to know what happens to a Third World country when it enters Uncle Sam's embrace, don't look at Africa or Latin America. Visit Pakistan. It appears as if we are on a phantom train that is gathering momentum and we cannot get off. Surely, this can't be our signature as we turn the page into a new millennium.

"Nothing is more precious," Ho Chi Minh famously said, "than independence and freedom." Thanks to Americans, we lost both on Gen Musharraf's watch when he capitulated, said yes to all the seven demands presented to him at gunpoint by Secretary of State Colin Powell and joined the "Coalition of the Coerced." On that day, Pakistan rented itself out to the United States and became what Stephen Cohen calls a "rentier state."

These are days without shame or glory in Pakistan. This is the bleakest era in the history of Pakistan since 1971. Today we sit on a boiling kettle. Twenty years ago, Pakistan was no paradise but it wasn't in crisis either. The independence of Pakistan is a myth. Pakistan is no longer a free country. It is no longer a democratic country. Today Pakistan is splattered with American fortresses, seriously compromising our internal and external sovereignty. People don't feel safe in their own country because any citizen can be picked up by FBI agents in collusion with our government and smuggled out of the country, making a mockery of our independence and sovereignty. To apply the adjective "sovereign" to the people in today's Pakistan is a tragic farce.

"The single greatest threat to (Pakistan)," Obama said recently, "comes from Al-Qaeda and their extremist allies." This is not true. All our major problems, including terrorism, stem from the American invasion and occupation of Afghanistan. It has turned our tribal area into a protracted ulcer, a quagmire - a place where Pakistan is spending blood and treasure to protect American interests.

"The United States," Obama said, "has great respect for the Pakistani people." Invading our territory, carry out military operations on our soil, bombing our villages and killing innocent men, women and children, Mr President, is no way of earning the respect of our people.

These are tense times in Pakistan. We have entered a liminal period. The alienation between the people of Pakistan and the United States has never been more intense. Relations between Pakistan and the United States have never been as stormy as they are today. The Obama administration does not seem to be aware of the tectonic shift that is well underway. One thing is clear. United States has lost Pakistan forever.

Today we stand alone. Such are the harsh realities inherent in an unequal relationship. It is time to wake up. At this time all those among us who love this country and see the perils of the future must draw together and take resolute measures to restore Pakistan's independence and sovereignty. Failing that, a long polar night will descend on Pakistan.

Few Pakistanis seem ready to die or make any sacrifice for anything. "The best lack all conviction, while the worst are full of passionate intensity." Pakistan no longer exists, but by that I mean the country of our dreams, our hopes and our pride. I am really astonished at the ease with which our people accustom themselves to the life of a herd of sheep and the loss of their independence and liberty. And I wonder why we have allowed such indignities to be visited upon our nation-and for so long. The answer is that we no longer own our country. At times, I want to buy a hundred bullets, use 99 on the architects of our misfortunes and humiliation - corrupt politicians, bureaucrats, army generals, corrupt judges, all those who stole the Pakistani dream - and save one for myself.

Today we are alone in the ring. The country is plunging dizzily into the unknown and terrible future.

"Liberty once lost," Adams famously told his countrymen, "is perhaps lost forever." Our cupboard is bare. The only antidote to this debilitating situation is to throw out this corrupt government and give the people a chance to elect their representatives with a fresh mandate. Everybody knows this is the only effective answer.

Our corrupt rulers can't bring themselves to face up to three glaringly obvious truths: the first is that Pakistanis are tired of fighting the so-called "war on terror" on their soil. Our soldiers are fighting a proxy war in our tribal area against their own people for no reason whatsoever. The second truth is that the suicidal war in the tribal area will go on unless Obama changes course. Meanwhile, Pakistan will pay a terrible price in blood and treasure. Unless we disengage ourselves from America's "war on terror," suicide bombing and explosions will go on unabated. Pakistan will bleed itself to death.

## **Rally round the SC**

**Saturday, June 30, 2012**

Rally round the SC “Mein Lieber Goring”. Hitler was replying to a Goring complaint that the Judges had behaved disgracefully in the Reichstag Fire Case. “You would think that we were on trial not the Communists”, said Goring. “It is only a question of time”. Replied Hitler, “We shall soon have those old fellows talking our language. They are all ripe for retirement anyway, and we will put in our own people”.

The government is obviously not very comfortable with the superior judiciary. Its main concern is how to subjugate it, pack it with its own people and do away with the rule of law. Surprisingly, this is exactly what Hitler did more than 60 years ago.

Pakistan is poised to descend into chaos and economic catastrophe. Evidence of a state tottering on the edge of complete dysfunction is apparent everywhere in Pakistan. The mood is of futility and despair.

The government’s refusal to comply with the Supreme Court directive in the NRO case is an alarm call of the most compelling kind. The fear of conspiracy against the Supreme Court hangs heavy in the air.

Yousuf Reza Gilani is now in the dustbin of history. How fortunes fluctuate! “Not long ago, we saw him at the top of Fortune’s wheel, his word a law to all and now surely he is at the bottom of the wheel. From the last step of the throne to the first of scaffold, there is a short distance. To such changes of Fortune what words are adequate? Silence alone is adequate”.

The nation-wide jubilation which we witnessed after the Supreme Court delivered its landmark judgement in the contempt case against Gilani, was justified on many grounds. It restored the majesty of the Constitution; it proved the independence of the judiciary. Above all, it demonstrated that nobody is above law. All these are good causes for celebration. The citizens of this benighted country have, for once, been assured that there is such a thing as true accountability. They have the comfort of knowing that those who defy the Supreme Court and have grown fat and rich on ill-gotten gains at the cost of starving millions, can be brought to book.



Outwardly an illusory calm and an unreal air of bourgeois serenity seem to have settled over Islamabad.

“Everything seems”, as Goethe said, “to be following its normal course because even in terrible moments in which everything is at stake, people go on living as if nothing were happening”. But a perfect storm is looming on the horizon. Islamabad is once again preparing for a collision between those who stand behind the Supreme Court, the defender of the Constitution, the Rule of Law, the protector of citizen’s liberties and those who represent the forces of darkness, whose hands are dirty, who have looted and plundered the resources of this poor country. “I can detect the near approach of the storm. I can hear the moaning of the hurricane, but I can’t say when or where it will break forth”.

Today the Pakistan stage is clogged with bad actors playing lousy parts from commanding heights. Too many conflicting agendas. Too many egos. Too many so-called leaders with dirty hands. Major absentee on the stage: the people of Pakistan, barely mentioned by anyone. How can corrupt rulers occupy any place in the political order of Pakistan? This is equivalent to asking what place should be assigned to a malignant disease which preys upon and fractures the body of a sick man.

Five years ago, a judicial earth quake remade the political terrain of our country. On March 9, 2007 to be exact, began a new epoch in the history of Pakistan. On that day Chief Justice Iftikhar Chaudhary defied the military dictator and refused to resign. With that act of courage, he triggered a revolution and changed the course of history. This was the moment when Pakistan lifted its head and began to fight back against the dictator.

No authoritarian or corrupt ruler can afford an independent judiciary. The two cannot coexist and are bound to collide. Without an independent judiciary, the Republic cannot be made to endure. But when government falls into perfidious hands, it becomes itself the instrument of counter-revolution. No wonder, all those who do not believe in the rule of law and all those who represent the forces of darkness and counter-revolution, have joined hands once again to reverse the judicial revolution triggered by Chief Justice Iftikhar Chaudhary.

In Pakistan, the Supreme Court’s historic role has been one of subservience to military dictators. Iftikhar Chaudhry broke with the past tradition and changed all that. The nexus between the generals, corrupt rulers and the superior judiciary has snapped. An era of deference by the Supreme Court to the executive has given way to judicial independence. Isn’t it ironic that today the people of Pakistan, especially the poor, the disadvantaged and the voiceless,

expect justice not from parliament, not from the presidency, not from the prime minister but from an unelected and unaccountable Supreme Court?

Today there is an intense anxiety on the part of ordinary people for decisive leadership. In this Manichean struggle, people are waiting for a stirring lead and a clarion call. It seems that while the nation craves for leadership, political leaders are equally determined not to lead them. Is it because they are all status-quo friendly and do not want to rock the boat? Isn't it a great tragedy that today the destiny of Pakistan is in the hands of its reluctant leaders who refuse to draw the sword people are offering them?

Counter revolution does not give up easily. The first threats of counter-revolutionary activity have already begun to appear. Attempts are being made to subvert the people's will and overturn the judicial revolution. Today the only ray of hope is the Supreme Court. People must rally round it and defend it. If people won't even speak up in its defense, the present corrupt order will acquire the mantle of legitimacy and permanence.

In the course of nearly four years, the government launched five successive and overlapping wars - against the N-League, the media, the judiciary, and finally against the people and history itself. All reflected a mindset to defy the Supreme Court and disregard the Constitution and laws of Pakistan for personal benefit, a quest for dirt and secrets about opponents as an organising principle. This government is not a government of the people, by the people, for the people. It has turned much of itself into a criminal enterprise.

The struggle to restore the rule of law has reached a moment of truth. Today it is a political and moral imperative for all Pakistanis to stand behind the Supreme Court and fight for our liberties and be prepared to face all consequences.

## The only way

Thursday, June 14, 2012

The only wayThe historian Charles Beard once said that a lifetime's reflection on history has taught him four things. When darkness comes, the stars begin to shine; the bees that rob the flowers provide the honey; whom God wishes to destroy he first makes mad, and the mills of God grind slowly, but they grind exceedingly small. This sums up the situation in Pakistan today. Truth is on the march. Mighty trees are falling. The storm raging outside shows no sign of abating.

Where do we stand today? Pakistan is has a nuclear bomb in one hand and a beggar's bowl in the other.

All the pillars of state, with the exception of the Supreme Court and the media, are dysfunctional. The President, the symbol of the unity of the federation, is mired in corruption. Parliament, the so-called embodiment of the will of the people, is fake. Under an imbecile, corrupt and feeble government, like the one we have today, there is but one step from discontent to revolution.

Our corrupt leadership is trapped in a time warp sustained by US power and dollars. Pakistan, an America colony in all but name, is at the beginning of the end and resembles a fading star. A terrible explosion could happen any moment. The opposition languishes in torpid impotence. I have never seen an opposition so nonplussed, so impotent, so clearly without a shot in the locker. In the words of Hazilitt, "the two parties are like competing stage coaches which occasionally splash each other with mud but travel by the same road to the same place."

After the restoration of the deposed Judges, the clock of history had been stopped. Now it has started again. While political leaders are dithering, the poor people, the bulldozer of history in the words of Marx, have taken to the roads all over the country. A window of hope has opened for Pakistan. At last people have found their life mission: fight for their inalienable rights. And I believe they have also found the tool to achieve this mammoth task: massive, peaceful, street demonstrations all over the country.

Pakistan has stumbled on the magical strength of street-power. Otto von Bismarck once said that political genius entailed hearing the hoof beat of history, then rising to catch the galloping horseman by the coattails. History offers

opportunity. Timing is the essence of politics. Imran is an acknowledged leader of a mainstream political party and has a decisive role to play in the fast evolving situation in the country. People expect him to provide leadership. The voice of history beckons him. He must listen to the street.

He must, in the words of Chairman Mao, “seize the moment.” He must “seize the hour,” he must respond to the challenge. He must identify himself with the leaderless, rudderless protestors who feel abandoned by the political parties in their hour of greatest need.

The stage is set for a collision between those who are fighting for their inalienable rights: water, electricity, gas, the right to live and those who represent the forces of darkness and oppose them. In this Manichean struggle, you are either with the people or against them. You have to choose sides. To march at their head and lead them? To stand behind them, ridiculing and criticising them? To stand opposite them and oppose them? Every political leader and every citizen is free to choose among the three; but by force of circumstances they are all fated to make their choice quickly. For members of the intelligentsia living under this corrupt, authoritarian regime, not to be politically rebellious is, in my view, a moral abandonment of their social post. Members of civil society – doctors, engineers, journalists, writers, academia, civil servants – must be implacable opponents of corrupt rulers.

One of the lessons of history is that when hunger and anger come together, people sooner or later, come on to the streets and demonstrates Lenin’s Maxim that in such situations voting with citizen’s feet is more effective than voting in elections. The bringing together of anger with hunger is like the meeting of two livewires. At their touch a brilliant incandescence of light and heat occurs. Just what and who would be consumed in the illumination is hard to tell. Well, hunger and anger have come together throughout the country in the wake of the unprecedented load-shedding. I see blood in the eyes of the protestors. I dread their determination.

Our country is in grave danger. Pakistan looks exhausted, ossified and ideologically bankrupt, surviving merely to perpetuate its corrupt rulers. Never has the divide between the ruler and the ruled seemed so yawning, and perhaps never has it been so dangerous. Thievery at the summit of power, a totally new phenomenon introduced in this country by Zardari, inspires outrage and disgust among the people, especially the poor. Both he and his prime minister are servile, obsequious, lackeys of the United States, insecure, highly dependent on American support, too willing to sacrifice national interest in order to secure American help for themselves and remain in power.

Today we are engaged in a great battle. The lines are drawn. The issues are clear. Those who are not with the people are against them. It is as simple as that. The time to hesitate is through. Now or never is the moment when salvation from corrupt rule is possible. Too long have we been passive spectators of events. "There is a moment in engagement," Napoleon once said, "when the least manoeuvre is decisive and gives victory. It is a one drop of water which makes the vessel run over." For us that moment has come.

Ultimately, the true guardians of Pakistan are the people of Pakistan. People power alone can protect Pakistan from the corrupt leadership. Time and again – in 1789, 1848, 1871, and 1968, to name only the most historic years – mass protests have kicked out rulers, and toppled governments. Our corrupt rulers know that the street is all they have to fear. Confronting them has now become a patriotic duty. Today there is no other path for our country, but the one, which led to the restoration of Chief Justice Iftikhar Choudhary.

"People confuse two types of politics," Imran told The New York Times sometime back. "One is the politics of movement. The other is traditional power-based politics. Tehreek-e-Insaf is never going to win the traditional way."

Destiny has embarked Imran on a path never trodden before. He must follow this path wherever it takes him. Napoleon once famously said: "Enter the battle, engage the enemy, acquire power, then see what can be done."

Our cupboard is bare. This only antidote to this debilitating situation is to throw out this corrupt government and give the people a chance to elect their representatives with a fresh mandate. Everybody knows this is the only effective answer.

The wrong answer is to allow this corrupt government to go on plunging towards the abyss. The only way to ensure victory is to wield the weapon which has brought the anti-Zardari movement thus far: massive demonstrations, rallies and marches all over the country.

## **La patrie en danger**

**Saturday, June 02, 2012**

A lesson to be drawn from the works of Gibbon is that Rome's enemies lay not outside her borders but within her bosom, and they paved the way for the empire's decline and fall – first to relentless barbarian invaders from the north, and then, a thousand years later, to the Turks. We must not let this fate befall our country. People with divided loyalties are busy undermining our political and military institutions and constitute a serious threat to the independence and sovereignty of our country.

Look where Pakistan risks going, in contrast to what she was about to become a decade ago. The Supreme Court defied, all our institutions trampled upon, our international prestige debased and a bankrupt economy. Tragedy aplenty: no drinking water, no electricity, no gas, no jobs, no cash, rampant corruption, no hope.

Our life has been infused with corruption, terror, death, poverty and hyper inflation. The nation has lived so long in the embrace of death that violence has become more normal than tranquility. What was the content of the Pakistan dream? Democracy instead of dictatorship; rule of law instead of rule of man; law instead of lawlessness; press freedom instead of censorship. And most important, we dreamed of a human right to dignity. The rulers are waging a war on the Pakistan dream.

The political arena seems more like a forum of mass entertainment than a place of serious deliberation. Parliament, the chief instrument of democracy is cowed, timid, a virtual paralytic, over-paid and under-employed, totally insensitive to the sufferings of the people it claims to represent.

The American footprint in our country is growing larger and heavier by the day. Nuclear Pakistan is now an American colony and is used as a doormat on which the US can wipe its bloodstained boots. American military personnel cross and re-cross our border without let or hindrance. Their drones violate our air space with the agreement of our government and kill innocent men, women and children. No questions asked. No public outrage. No self-respecting country, big or small, would tolerate such intrusions. In these harsh and difficult political times, the question of leadership is at the centre of our national concerns. The times cry out for leadership of a high order. At the heart of leadership is the leader's character.

Election is not the answer. The idea that you can just hold elections while everything remains colonial, feudal and medieval means you won't get democracy but some perversion of it. Elections are necessary but not sufficient. Elections alone do not make a democracy. Creating a democracy requires a free and independent country, an inviolable constitution, a sustained commitment of time and money to develop all the necessary elements: a transparent executive branch accountable to the parliament, a powerful and competent legislature answerable to the electorate, a strong neutral judiciary, and a free press.

To assume that a popular vote will automatically bring about a democratic metamorphosis would be to condemn Pakistan to a repeat of the cycle seen so often in our history: a short-lived period of corrupt, civilian rule, a descent into chaos and then army intervention. In the country of Nicholas and Rasputin, who ruled Russia, it was easy, according to Lenin, "to start the revolution", it meant, "lifting a feather". It should be much easier to dislodge the corrupt nitwits, who rule Pakistan today. This is one of those moments in history when all that is needed is for someone to push open the door. The present corrupt political system would, I have no doubt, disappear in a violent upheaval since it carries within it the seed of its own destruction.

The country is humiliated and impoverished. Democratic forms remain. But democracy itself is in effect dead or dying. This country is in deep trouble and sinking. Tremendous responsibility rests on the shoulders of our military leadership. Senior military officers involved in decision-making are smart, but they too live in a very rarefied environment, hardly ever meet common citizens and, as the American say, do not have the daily pulse of the people in their face. How can they afford to be passive spectators of events? You can't fail to see the rising spectre of a fragile Pakistan helplessly stumbling into catastrophe.

It is not enough to sit back and let history slowly evolve. To settle back into your cold-hearted acceptance of the status quo is not an option.

Nobody knows where we headed without a leadership worth the name to guide or direct us. The social contract between the rulers and the ruled has collapsed. Fundamental issues of far-reaching significance are churning beneath the placid surface of life. The Zardari government is a vacuum presiding over a chaos. Politics no less than nature abhors a vacuum. If the politicians don't get their act together quickly, I shudder to think what might rush into this void. Revolution is a gamble in impossibilities. It occurs when administration breaks down. It was years of anarchy following breakdown of administration which lifted Mao to the Chinese throne.

In this atmosphere of gloom and doom, there is a new wave of change all around us. We are a country in decline, not terminal, not irreversible but in decline. Our political system, dominated as it is by a handful of power-hungry, corrupt rulers, seems incapable of producing long-range answers to our problems.

Unless we pull down, the entire corrupt, decrepit, dilapidated, superstructure soon, the ultimate disaster is inescapable.



## **The turning point**

**Thursday, May 10, 2012**

After the fall of Nixon, one of his advisors David Gergen wrote, "the received wisdom is that Watergate teaches us one basic rule about politics: Never elect a man of low character to high office". Unfortunately, our stunted democracy always throws up midgets begrimed with corruption".

Euripides once famously said, "Whom the Gods destroy, they first make mad". President Zardari, symbol of the unity of the federation and his sidekick, Prime Minister Gilani, have declared war on the Supreme Court!

Prime Minister Gilani got his come-uppance on April 26 when he was convicted and sentenced by the highest court of the land, for contempt of court for wilful flouting, disregard and disobedience of the orders and directives of the court.

Today, Yousuf Raza Gilani, erstwhile prime minister and chief executive of the federation is a convict. In the opinion of many eminent jurists, he stands divested of office, authority and stripped of all powers and no longer the prime minister of Pakistan.

The government's persistent refusal to comply with court directives in the NRO case, in particular, is an alarm call of the most compelling kind. Not surprisingly, laws unsupported by force, are following into contempt. The fear of conspiracy against the SC hangs heavy in the air.

Our history can show no precedent for so foul a plot as that which this corrupt, dying regime has hatched against the apex court. The Supreme Court should be the barrier that protects the citizens from evil and tyranny. If we permit it to be desecrated or demeaned and it crumbles, who will be able to stand in the winds that follow?

No authoritarian or corrupt ruler can afford an independent judiciary. The two cannot coexist and are bound to collide. Without an independent judiciary, the republic cannot be made to endure. But when the government falls into perfidious hands, as has happened in Pakistan today, it becomes itself the instrument of counter-revolution.

No wonder, all those who do not believe in the rule of law and all those who represent the forces of darkness and counter-revolution, have joined hands once again to reverse the judicial revolution triggered by the chief justice.

This is a watershed moment history will look back on. The survival of Pakistan itself is at stake. It is a period of great events and little men. We are engaged in a great battle for the rule of law and corruption - free politics. With the restoration of the chief justice and other deposed judges, we won the first round but the fight is not over yet. In fact, it has just begun.

Criminals and mafiosos have found in 'democracy' the perfect Trojan horse for attaining and preserving power. It has provided a shell under which gangsters plunder and beggar their people. An independent judiciary does not suit them. No wonder, they have all ganged up against the Supreme Court.

We have arrived at the epilogue, at the greatest turning point in our history. We must be ready to join in actions ensuring that these people are cast aside; they must not be allowed to enjoy the tainted wealth that they have acquired. It is our duty to ensure that the judgement of the Supreme Court is put into full effect in letter and spirit.

Where do we stand today? Pakistan is very feverish and very sick and is racing towards the edge of the cliff. Politics is fragmented and angry. We are a breath away from ground zero.

We have a disjointed, dysfunctional, lopsided, hybrid, artificial, corrupt political system - a non - sovereign rubber stamp parliament, a weak, ineffective and corrupt prime minister, the epitome of self - satisfied mediocrity, who changes his public statements as often as he changes his designer suites. Not surprisingly, Pakistan is rudderless and sliding into darkness.

German statesman Otto von Bismarck once said that political genius entailed hearing the hoofbeat of history, then rising to catch the galloping horseman by the coat-tails. Why are our political leaders not responding to the hoofbeat of history? At this time, all those who see the perils of the future, whatever their political orientation, must draw together to pull our country back from the edge of the abyss.

What prevents the opposition parties and their leaders from joining hands and presenting a united front against corrupt rulers out to destroy all our core institutions? What prevents them from taking to the street as they have in other countries and as they have in the past in this country? What prevents them from putting national interest above petty selfish interest?

Today we are at the crossroads of a historic choice. This is the last chance, the last battle. If we shall not stand out into the streets, a long polar night will descend on Pakistan.

Isn't it a great tragedy that at a time when a window of hope has opened, a coup de grâce, or a coup de main, a powerful kick and the entire corrupt, fraudulent structure will come crashing down, our political leaders are dithering and cannot forge a united front against the corrupt rulers?

The time has come when the ultimate sovereign – the people of Pakistan – must assert itself. At long last we have a chance to throw off the rubber-stamp parliament and a thoroughly corrupt and discredited presidency.

We have come to a critical fork in the road. We are tired of business as usual. We want change and change now. Those who are not with the people are against them. It is as simple as that. Now or never is the moment when salvation from dictatorship rule is possible.

At last people have found their life mission: fight for authentic democracy and their inalienable rights.

And I believe they have also found the tool to achieve this mammoth task: massive, peaceful, street demonstrations all over the country.

Sterile demonstrations inside the rubber-stamp parliament and isolated, symbolic marches are ineffectual, frivolous, trifling exercises in futility and impress nobody.

The urban elite in Pakistan are foreigners in their own country. They are the first world trapped inside the Third World. They do not vote. They have never attended any political rally. They speak a different language.

The intellectuals and the civil society have failed. How is it possible that during a time when democracy is on the ascendancy everywhere, the best and the brightest among us are so silent, so acquiescent, so unresponsive? Glory to the few who speak out? Shame to those who keep silent!

## **The breakdown**

**Tuesday, May 01, 2012**

The breakdown Pakistan, politically stagnant and economically decrepit, is fast approaching a dangerous tipping point.

On April 7, a giant wall of snow came tumbling down a mountain in the snowy wastes of Siachen, swamping the Battalion Head Quarters of the Sixth Northern Light Infantry, burying 124 soldiers and more than a dozen civilians stationed there. It is undoubtedly a national tragedy of unprecedented proportions which stunned people throughout the country.

It occurred on the eve of a “private” visit to India by President Zardari, the Supreme Commander of the entombed 124 soldiers. He ignored the tragedy and left for India with an entourage of more than 50 persons. In the summer of 2010, Zardari had ignored the country’s worst flooding in 80 years, in which thousands of lives were lost and millions of people affected, to visit his chateau in France and address a party meeting in Birmingham.

Not long ago, Chilean president Sebastian Pinera staked his presidency on rescuing the 33 miners trapped nearly half-a-mile underground. He was at the scene of the disaster throughout and personally supervised the rescue operation. When the first of the 33 trapped miners stepped out of a narrow rescue capsule and onto the surface, President Pinera was there to hug him.

Just as Hurricane Katrina defrocked a faith-based George W Bush, the Siachen avalanche has similarly unmasked Zardari.

King Juan Carlos of Spain has apologised to the Spanish people for a hunting trip in Africa at a time when the country is in the grip of severe economic crisis. President Zardari owes an apology to the nation for undertaking a private visit at taxpayer’s expense, to India at a most inappropriate time, demonstrating his lack of sensitivity and respect for the soldiers buried under tons of snow in Siachen and their grief-stricken families.

All the pillars of state, with the exception of the Supreme Court and the media, are dysfunctional. Parliament, the so-called embodiment of the will of the people, is fake like a Potemkin village.

Pakistan is a case of failed leadership, not failed state. Until we get the right kind of leadership, Pakistan will continue to oscillate between long periods of authoritarianism and bouts of corrupt and sham democracy.

The two, Zardari and Gilani, occupying the commanding heights of power, have been weighed in the balance and found wanting. Both are irrelevant to the unfolding tragic drama and will soon be forgotten.

When the winds blow and rains descend and the house is about to collapse, such men vanish in a night.

The day is not far-off when the entire fraudulent superstructure erected by their masters in Washington will be swept away by mighty forces that are adrift.

This is the bleakest era in the history of Pakistan since 1971. At a time when leadership is desperately needed to cope with matters of vital importance and put the country back on the right path, Pakistan is ruled by a corrupt President who lacks both legitimacy and credibility and seems oblivious to the realities of his awesome responsibilities and is interested only in perpetuating himself.

The nation is breaking down. It has become ungovernable and would remain so as long as Zardari remains in power. Already people are anxiously scanning the horizon waiting to see if the cavalry will come riding down the hill to save Pakistan”.

Nature abhors vacuum. So does politics. When Weimar Germany was buffeted by civil unrest and commotion, its tenuous democracy was discarded in favour of Nazism. But I still have hope. I have this palpable feeling that the Maoist prescription-things have to get worse before they could get better-is being tested in Pakistan today.

## **Machiavelli**

**Wednesday, April 11, 2012**

Machiavelli Harold Macmillan was once asked by a young journalist what he feared most in politics.

“Events, dear boy, events,” the British prime minister responded.

For Pakistan events are coming thick and fast: an ongoing, highly unpopular war against our own people in the tribal area, daily American drone attacks killing innocent men, women and children, targeted killings in Karachi, total breakdown of law and order in the backdrop of spiraling inflation, driving thousands of angry protestors to take to the streets almost every day.

With Gen Musharraf’s exit, we thought we had reached the summit. Alas! The ascent of one ridge simply revealed the next daunting challenge. Before he left the stage in disgrace, Musharraf turned over the car keys to those who rob and plunder this poor country with impunity.

This is a moment of deep anguish for all Pakistanis. Zardari has infused our life with war, terror, death, poverty and mega-corruption.

Zardari, known for his political astuteness, is a ruthless practitioner of Machiavellian statecraft and evokes memories of the Florentine statesman (let me hasten to add that Machiavelli never advised “the Prince” to loot and plunder).

Thrown there by accident, and grotesquely unsuited for his position. With Zardari in the Presidency, one doesn’t have to read the tea leaves for a glimpse of our future.

All presidents are opposed, of course, and many are disliked; but few suffer widespread attacks on their personal integrity. President Zardari is one of those few.

All the pillars of state, with the exception of the Supreme Court, are dysfunctional. The president, the symbol of the unity of the Federation and the embodiment of the conscience of the people, is mired in allegations of corruption, totally indifferent to public welfare, being interested only in protecting himself and his wealth.

Parliament, the so-called embodiment of the will of the people, is a fake, like a Potemkin village. It is deaf and blind to the anguished cries rising from the slums of Pakistan! Give us bread! Give us drinking water! Give us light! Give us the right to live! Give us security of person, honour and property!

The state of the federation would stun someone who went to sleep in 1948 and awakened in the present.

On August 14, 1947, we thought we had found freedom, but it has turned out to be another kind of slavery ill-led and ill-governed by a power-hungry junta. Even the most incurable optimists are deeply worried.

“Democracy” in Pakistan is a mask behind which a pestilence flourishes unchallenged. It has a disjointed, lopsided, hybrid political system – a non-sovereign, rubberstamp parliament which is cowed, timid and paralytic, a powerful corrupt president, a weak, ineffective and corrupt prime minister appointed by the president himself.

Today Pakistan is trapped in a political stalemate. Inflation is spiralling out of control at a truly dizzying rate. Zardari’s rule has proved to be miserable for Pakistan.

The rich are getting richer and the poor are getting poorer. The two don’t even speak the same language, let alone breathe the same air, eat the same food or wear the same clothes. They live on different planets: one in which a small elite live with almost unfathomable wealth and another in which millions eke out an existence on the margins of that abundance.

To paraphrase Martin Luther King, the tragedy of Pakistan is the appalling silence of the elite who do not speak out for the poor and the dispossessed.

These are critical days in Pakistan. There is no steady hand on the tiller of government. The survival of the country, its sovereignty, its stunted democracy, its hard-won independent judiciary – all are on the line.

In these dangerous times, anything is possible. I shall not be surprised at any event that may happen.

The country is gripped by fear and uncertainty and is as near to anarchy as society can approach without dissolution.

Ultimately, the true guardians of democracy are the people of Pakistan. People's power alone can save Pakistan from the highway robbers who have hijacked Jinnah's Pakistan.

Time and again – in 1789, 1848, 1871, and 1969, to name only the most historic years – mass protests have kicked out rulers, and toppled governments. Our corrupt rulers know that the street is all they have to fear.

Confronting them has now become a patriotic duty. Today there is no other path for our country but the one which led to the restoration of Chief Justice Iftikhar Chaudhry and other deposed judges.

There are periods in history which are characterised by a loss of sense of values. The times we in Pakistan live in are preeminently such an age. If you want to see a free nation stifled by inept, corrupt rulers, through its own apathy and folly, visit Pakistan.

The great French thinker, Montesquieu, said in the 18th century: "The tyranny of a Prince in an oligarchy is not so dangerous to the public welfare as the apathy of a citizen in a democracy".

An irresponsible inept, corrupt, government is the inevitable consequence of an indifferent electorate.

The good news is that a change has come over the political landscape of Pakistan. There are stirrings of a kind hitherto unknown throughout the social system, at first so faint as to be almost imperceptible but, steadily becoming more and more apparent.

The minds of men and women are in a fervent. Every Pakistani seems dissatisfied with his lot. And the rankling discontent has made him at once impatient and fiercely hostile to the status quo. Nothing would content him now but a new Pakistan different from the one around him today.

The nation is in a state of unstable equilibrium, at the mercy of that final stroke of destiny which will have such tremendous effect and will produce the most formidable political and social cataclysm Pakistan has ever seen.

Revolution is unpredictable and comes of its own accord, un-engineered by anyone, and is born in the chaos of the collapse of the state. Never was any great historical event so inevitable and yet so completely unforeseen as the French revolution.



Nobody can predict what is going to happen tomorrow but all the symptoms which one had ever met within history prior to great changes exist in Pakistan today.

## **The long war**

**Tuesday, March 27, 2012**

On March 11, 2012, a US army sergeant, without any provocation, methodically killed 16 unarmed civilians, nine of them children, in three villages in the Panjwai district of Kandahar province. Some of the bodies had single, execution-style bullet wounds in the head. The villagers had barricaded themselves in their homes, blocking the doors with odd pieces of furniture in a vain attempt to protect themselves and their womenfolk from the attacker. According to reports, US soldiers, often under the influence of drink, roam the streets and nobody feels safe. Afghan women are paralysed with the all too justified fear of being raped.

The deadly rampage of a heavily armed US soldier, in the wake of other similar provoking incidents like the desecration and burning of the Holy Quran at Bagram air base and a video showing US marines urinating on a dead Taliban fighter provoked countrywide outrage, an outpouring of revulsion against the US army and a threat of vengeance from the Afghans.

It was another country in another time but the actions was similar. On March 16, 1968, soldiers of US "Charlie" Company of 1st Battalion, 20th Infantry Regiment, 11th Brigade of the American Division murdered between 347 to 504 unarmed civilians in South Vietnam which later came to be known as the M? Lai Massacre. Most of the victims were women, children (including babies), and elderly people.

Some of the bodies were later found to be mutilated. While 26 US soldiers were initially charged with criminal offenses for their actions at M? Lai, only Second Lieutenant William Calley, a platoon leader in the Charlie Company, was convicted. Found guilty of killing 22 villagers, he was originally given a life sentence, but only served three and a half years under house arrest! Anyone who thinks that the perpetrator of the Kandahar massacre would be brought to justice and executed must have his head examined.

Afghans are no strangers to foreign military interventions in their country. After nine years of occupation, the last Soviet soldier left Afghan territory on Wednesday, February 15, 1989 at 11:55 A.M. local time.

General Boris V Gromov, a hero of the Soviet Union and commander of all Soviet forces in Afghanistan, walked across the Steel Friendship Bridge to the border city of Termez in Uzbekistan. "There is not a single soldier or officer left behind

me”, General Gromov told a television reporter waiting on the bridge.

“Our nine-year stay ends with this”.

“The United Nations negotiated the Russian exit,” said the Times of London on April 27. “Its job is now done. The world has no business in that country’s tribal disputes and blood feuds”. Americans too walked away from Afghanistan. The rest of the world also forgot Afghanistan and abandoned the Afghans to their fate. Afghanistan was plunged into a bloody civil war.

The Taliban capture of Kabul in 1996 virtually terminated the civil war in which over 50,000 people had lost their lives. Now, after more than thirty years of foreign occupation Afghanistan is a country of demolished cities, disabled war veterans, amputees, young widows, orphaned children, torn-up roads and hungry people.

Afghans are helpless victims of a war foisted upon them by the US that has only brought misery and produced a catastrophe. “Fighting beyond one’s border”, Chairman Mao famously said, “is criminal”.

The US war in Afghanistan now in its 11th year is a war of choice. Not a war of necessity. The overwhelming desire of the Afghans is to see the war end along with the fervent wish to see the back of the US army. It has hardened their determination to fight for their country, to defend their homeland against what they view as an alien, repugnant and inhumane enemy.

The Americans are sinking more and more deeply into the fetid quagmire of Afghanistan and neither the president nor General Petraeus nor anyone else has the slightest clue about how to get out. The counterinsurgency zealots in the military want the president to completely scrap his already shaky timetable for the beginning of a withdrawal. Getting into a war is generally a piece of cake. Getting out tends to be another matter altogether – especially when the commander in chief and his commanders in the field disagree on the advisability of doing so.

How long is it going to take for the US to recognise that the war it so foolishly started is a fiasco – tragic, deeply dehumanising and ultimately un-winnable? How much more time, how much more money and how many more wasted lives is it going to take? One thing is clear. Peace and stability will never resume as long as aggression continues and US soldiers remain on Afghan soil. Instead of enacting a charade, the US should turn the country over to a genuine international coalition headed by the United Nations and get out. Playing the

world's policeman is not the answer to the catastrophe in New York in 2001. Playing the world's policeman is what led to it.

Until the turn of the 20th century, US foreign policy was basically quite simple: to fulfil the country's manifest destiny, and to remain free of entanglements overseas. The US favoured democratic governments wherever possible, but abjured action to vindicate its preferences. John Quincy Adams, then secretary of state, summed up this attitude in 1821. "Wherever the standard of freedom and independence has been or shall be unfurled there will her (America's) heart, her benedictions and her prayers be. But she goes not abroad, in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own". Today, contrary to John Adam's advice, US stalks the world alone in search of monsters to destroy.

Washington wants to retain bases, special forces and military advisors in Afghanistan until at least 2024.

It wants to keep sufficient forces on the ground that can both continue to hunt Al-Qaeda and prop up a corrupt administration in Kabul. One thing is clear that the Afghans will never accept this. The continued presence of US forces will make agreement with the Taliban impossible, so the war will continue.

"A democracy", General George C Marshall once said, "cannot fight a seven years war". The US war in Afghanistan has been going on for eleven long years and victory is nowhere in sight. President Obama will be well advised to follow the first rule of holes, stop digging and extricate his troops from the "Graveyard of Empires?"

## **The future of democracy**

**Saturday, March 10, 2012**

Independent India has been exceptional among non-western countries in having made a decided success of parliamentary democracy, so far. Here is a country with a vast area, with a great and growing population, with the narrowest margin of production over the requirement of bare subsistence. It has a low percentage of literacy, and with an experience of parliamentary government that was only thirty years old in 1947, the year in which India's independence was achieved.

There has never before been an electorate on the Indian scale; yet general elections in India appear to be efficiently organised and, what is more important, honestly conducted.

The Pakistanis and Indians are inhabitants of the same sub-continent. They were exposed to the same western influences under the same western colonial regime. In 1947, they entered on their careers as citizens of independent, democratic states at the same time. Western parliamentary democracy was their first choice. The success of parliamentary democracy in India stands out in contrast to its failure in Pakistan. The difference is not easy to account for adequately.

Today, parliamentary democracy is a reality in India. This is greatly to the credit of the Indian people as a whole, but even greater credit is due to the Indian leadership, untainted by corruption, that has been serving the country as a political leaven.

Sixty-three years after independence, the Indian army remains bound by tight constitutional and political constraints. There has been no coup, no colonel's or brigadier's conspiracy to seize power. The Indian army has not intervened in politics. De Tocqueville and other theorists have argued that democracy and a large standing army were incompatible, but India has managed both. Indian democracy has stood the test of time. The constitution has kept the country united, allowed its democracy to survive and kept the armed forces at bay. In our case, the military has seized power four times since 1947, ruling directly or indirectly for more than half the life of the country, with disastrous consequences.

Where do we stand today? A palpable sense of melancholy pervades Pakistan. Tragedy aplenty: no cash; no gas; no electricity; no hope. And Zardari. How could anyone be hopeful in the face of such a litany of misery?

63 years after independence, this is what we get: a spurious democracy brokered in Washington, an accidental president facing corruption charges, a rubber stamp parliament, a figurehead prime minister defending corruption, Potemkin villages dotted all over the country, the nation's army at war with its own people; flagrant violation of our air space and national sovereignty by US aircraft, resulting in the killing of innocent men, women and children.

There is no protest by our democratic government, no expression of remorse by our coalition partner in the so-called war on terror, no regret. The state of the federation is chilling. The country is spiralling downward into anarchy. The rupee is in a death spiral. We are a breath away from ground zero. Pakistan faces an existential challenge. It is a case of failed leadership, not failed state.

Holding of free, fair and impartial elections is a sine qua non in any democracy. On just one occasion has election in Pakistan reflected the will of the people and yielded particularly surprising and disorienting outcome for the ruling establishment: In 1970 with the election of ZAB as the undisputed leader of West Pakistan.

The recently held Senate election was just another farce. It was not an election. It was a sham. The farcical election brought vivid reminders of how money distorts our politics, poisons our law-making, and inevitably widens the gulf between those who can buy influence and the vast majority who cannot.

Today this gulf has become a chasm. Money is in effect speech, it talks; and those without money are voiceless. Citizens are now faced with evidence of the growing power of organised moneyed interests in the electoral system. Political power is shifting to the moneyed interests.

The most important three words in the American Constitution are: "We The People". In this country the people do not matter. No wonder, today we have a government that is not a government of the people, by the people, for the people. We are suffering criminal syndicates, an organised crime ring. If you want to know how a cabal is plundering this poor country, visit the Supreme Court and watch the proceedings. An impoverished population, downtrodden by years of corrupt rule is trying to understand whether the country's transition from dictatorship to democracy is real. Like the Biblical Thomas, they seem to want more proof.

The engine of history is moving Pakistan backwards. Our fledging democracy may, after all, turn out to have been a historical accident and a parenthesis that is closing before our eyes.

“Perhaps no form of government”, said the historian and diplomat Lord Bryce, “needs great leaders so much as democracy”. Isn’t it a great tragedy that at a time when statesmanship of a very high order is the need of the hour, the fate of 180 million Pakistanis is in the hands of Mr Zardari and hordes of weak-kneed triflers, mountebanks and charlatans begrimed with corruption?

No government which is authoritarian in principle and corrupt in practice and is built on falsehood can hope, particularly in the atmosphere of foreign military intrusions, to retain the allegiance of those who do not share in the benefits of its corruption. The good news is that the people are thoroughly fed up with the current crop of politicians. That means there is a chance that the younger lot could come in to fill the vacuum. The two larger parties have already been drained of political capital by years of self-interest, corruption and poor governance and are fast becoming irrelevant.

Ordinary Pakistanis are sick and tired of the corrupt power games being played in Pakistan today. While there is no sign yet of a spring tide, millions of tiny waves are lapping the shores of despair. Our only chance is to revolt against these practitioners of grand larceny who are looting and plundering this poor country with impunity.

## **A self-made illusion**

**Wednesday, September 19, 2012**

A self-made illusion Alexis De Tocqueville once said: "I know of no country in which there is so little independence of mind and real freedom of discussion as in America". Republican presidential candidate Mitt Romney, in his acceptance speech, did not say a word about the war in Afghanistan, as if it were a non-event, although the US still has about 90,000 troops in that country and over 2000 Americans have died fighting a totally unjustified war.

There is clearly a conspiracy of silence about this totally unnecessary and unwinnable war. That neither Republicans nor Democrats see the war in Afghanistan as a fit subject for debate, is salt in the wound. Both seem to have adopted a collective amnesia about the war and the untold misery and havoc it has wrought.

Robert McNamara, the brilliant Secretary of defence for Presidents Kennedy and Johnson, helped lead America into Vietnam. McNamara believed that the fight against communism in Asia was worth sacrificing American lives, and yet he eventually came to believe that America had stumbled into a war - in which it had lost over 58,000 men and women - that was, in fact, unnecessary and unwinnable. The lessons of Vietnam were forgotten.

Iraq, a secular, socialist state, was not involved in 9/11, had no links with the Al-Qaeda. Baghdad presented no clear and present danger to its neighbours, and none to the US or Britain. The truth is that what was at stake was not an imminent military or terrorist threat but the economic imperatives of US growth. Iraq has 112 billion barrels of proven resources, or roughly 11 percent of the world's proven supply. That is more oil than the resources of Europe and South America put together, and more than Africa and the Asia-Pacific region combined. That oil has global strategic, political and economic significance. The temptation to grab it must have been irresistible.

North Korea has admitted it has nuclear capability but it is not invaded as Iraq was. If Saddam didn't have oil, he could torture his citizens to his heart's content. Other leaders in the Islamic world do it everyday with the blessings of the United States. Opposition to the war in the US is growing, although the primary cause for this opposition is that the cost of the war is too great and unacceptable to the American people. It is deplorable, but nonetheless, true, that what has changed public opinion in the US and its domestic political picture, is not the



efforts of its intellectuals but rather the Afghans resistance which simply will not yield to American force.

The rationale for Obama's war in Afghanistan is phony. American soldiers fighting in Afghanistan know it. No wonder, army morale is dropping. How long is it going to take for America to recognise that the war in Afghanistan is a fiasco – tragic, deeply dehumanising and ultimately unwinnable? One thing is clear, peace and stability will never resume as long as aggression continues and American soldiers remain on Afghan soil. Instead of enacting a charade, America should turn Iraq over to a genuine international coalition headed by the UN and get out. America has dug itself into a deep, deep hole.

Playing the world's policeman is not the answer to the catastrophe in New York. Playing the world's policeman is what led to it.

Anti-American sentiment, now at its highest, has metastasised into violent demonstrations all over the Islamic world against the sacrilegious film. The US government has warned its citizens against travelling to Afghanistan because of the fear of being kidnapped or killed. Democracy in Afghanistan is a self-made illusion. It is a western-imposed farce that will be swept away if America and its allies stop propping it up with their bayonets.

The Islamic world contains the world's greatest concentration of un-elected monarchs, military dictators, and usurpers, all supported by America. None would survive without American help. Where, then, is the symbol of hope in a Muslim world ruled by US-protected and coddled, corrupt despots? We in Pakistan have suffered four military coups, all supported by the US. The result is what we have now: moving from misery to poverty and a corrupt president sitting on top of a sham democracy.

Obama has placed America on the wrong side of history. Today US foreign policy finds itself at the bottom of a slippery slope. It has assumed many of the very features of the 'rogue nations' against which it has rhetorically and sometimes literally done battle over the years. The legitimacy of US action in Afghanistan has vanished. Its war on terrorism has no support in the Islamic world and is fast becoming unpopular in the rest of the world. There is an old Russian saying: Once you let your feet get caught in a quagmire, your whole body will be sucked in. Today the United States seems trapped in a bad story, with no way to change the script.

Today the United States is at war in Afghanistan and our tribal area. However you title or define it, it is war, a war it cannot win. Today nationalism is among the most potent phenomenon of political life in this part of the world. In the past,

nationalism had succeeded in disrupting the British, French, Dutch, Portuguese, Austro-Hungarian and Ottoman Empires. If the United States persists in waging this totally unnecessary and unjustified war, it would suffer a similar fate. If America wants to make headway against Muslim rage, it will have to relieve the suffering of the Palestinian people. It will have to vacate its aggression in Afghanistan and withdraw its support of tyrannies in the Muslim world.

John Quincy Adams's caution to America not to go abroad to slay dragons they do not understand in the name of spreading democracy or securing American interests has been thrown to the winds. Neither Washington, nor Madison nor Jefferson saw America as the world's avenging angel. The lesson of history is that those who do not learn from history are doomed to repeat the same mistakes. In a memorandum, addressed to the Chairman Science Board, Paul Wolfowitz, then deputy secretary of defence wrote, "Our military expedition to Afghanistan and Iraq are unlikely to be the last such excursion in the global war on terrorism. We may need to support an ally under attack by terrorists determined to replace the legitimate government; we may need to effect change in the governance of a country that is blatantly sustaining support for terrorism; or we may need to assist an ally who is unable to govern areas of his own country - where terrorists may recruit, train and plan without interference by the legitimate government"! It is scary.

Today the United States is once again in an expansionist mood. Iraq was but a "breakfast". Afghanistan is "picnic lunch". Where will Americans dine? The United States has strong teeth but a weak stomach. No wonder, it has digestive problems with Afghanistan. Be that as it may, America seems intent on using the September 11 attacks to impose what is called a 'civilisation of fear'. Both Iran and Pakistan are now in gun sights. Obama has made it abundantly clear that American Special Forces in Afghanistan will strike into Pakistan, if Pakistan fell into the "wrong hands". America is already at war with Pakistan in Waziristan. American drone attacks are a clear violation of Pakistan's sovereignty and are perceived quite literally as an act of war.

"The single greatest threat to (Pakistan)", Obama said recently, "comes from Al-Qaeda and their extremist allies". This is not true. All our major problems stem from the American occupation of Afghanistan and its frequent intrusions into our tribal territory. It has turned our tribal area into a protracted ulcer, a quagmire - a place where Pakistan is spending blood and treasure to protect American interests.

## **Our descent into chaos**

**Wednesday, February 29, 2012**

Just when you think our situation couldn't possibly get worse, the United States manages to get it down another notch. First, it was the totally unprovoked attack on the Salala check post resulting in the killing of more than 24 jawans of the Pakistan Army. Now it is the highly inflammatory and provocative call by US Representative Dana Rohrabacher for the secession of Balochistan. It is a harbinger of covert US plans for the dismemberment and balkanisation of Pakistan.

The current crisis in Balochistan, triggered by General Musharraf, has a long history. In a television interview on January 4, General Musharraf issued a stern warning to the Baloch nationalists. "Don't push us. It is not the 70s, when you can hit and run, and hide in the mountains", he said, alluding to the military operation to quell the insurgency in Balochistan in the 1970s. "This time, you won't even know what hit you". "Oh God"! I said to myself. "Not again". Unfortunately, generals do not learn from history because they do not read history. They make history.

The crisis in Balochistan is a throwback to the 1970 insurgency that resulted from Bhutto's dismissal of the National Awami Party government and the detention, on conspiracy charges, of 55 nationalist politicians and student leaders. Nearly three divisions were deployed to crush the insurgency and restore normalcy in that troubled province.

On July 5, 1977, the Bhutto government was toppled in a military coup led by General Zia, I was asked to take over as secretary ministry of interior. Within days, I met General Zia in the GHQ in the presence of Ghulam Ishaq Khan, secretary general-in-chief. The Hyderabad Conspiracy case came up for discussion. Mr Bhutto had earlier banned the National Awami Party.

Top Pakhtun and Baloch leaders were arrested and detained in Hyderabad jail and put on trial under the Criminal Law (Amendment) Special Courts Act of 1976. The government was in a state of armed confrontation with the people of Balochistan. The army had been deployed to crush what was officially described as an insurgency. Both sides had suffered heavy casualties.

Ghulam Ishaq Khan told General Zia that Bhutto had launched the army operation in Balochistan, not because there was an insurgency, but because he

could not reconcile himself to a non-PPP government in Balochistan, which he had sacked without any justification whatsoever.

He told General Zia that Bhutto was using the army to punish his political opponents and advised him to call off the operation, drop the conspiracy case, release the Baloch and Pakhtun leaders and defuse the situation. We assured Zia that he would never regret this decision. He said he agreed with us but would have to discuss the matter with his colleagues.

When we met him again, he told us that his colleagues did not agree. We pressed him again to ask his colleagues to reconsider the matter dispassionately. This time Zia had better luck. He had secured their agreement. He went to Hyderabad, met all the Baloch and Pakhtun leaders in jail, and had lunch with them. He called off the army operation, dropped the Hyderabad Conspiracy case and what is more, sent Ataulah Mengal, a heart patient, to the United States for medical treatment. All this had a dramatic effect. In no time, the situation returned to normal. All military operations in Balochistan were ended and troops were withdrawn; a general amnesty was granted to all those who had taken up arms against the government; all sentences were remitted; properties confiscated were returned to their owners. With one masterly stroke, Zia defused the situation. For eight long years, Balochistan gave us no trouble.

The use of force against the people did not succeed in East Pakistan and led to tragic consequences. How can it succeed in Balochistan? Why use force to resolve what is essentially a political problem? That is what happened to us in East Pakistan. Why repeat the same mistakes in Balochistan?

We lost our independence and sovereignty on General Musharraf's watch when he capitulated, said yes to all the seven demands presented to him, as an ultimatum, by Colin Powell, the then US secretary of state. No self-respecting, sovereign of an independent country, no matter how small or weak, could have accepted such humiliating demands with such alacrity. General Musharraf executed a U-turn, disowned the Taliban and promised "unstinted" cooperation to President Bush in his war against Afghanistan.

Pakistan joined the "coalition of the coerced". There were no cheering crowds in the streets of Pakistan to applaud Musharraf's decision to facilitate American bombing of Afghanistan from US bases on Pakistan soil. Musharraf had to choose between saying no to the American diktat and shame. He chose the latter and opted for collaboration. Thus began Pakistan's slide into disaster.

Is it, therefore, surprising that the American footprint in our country is growing larger and heavier by the day? Nuclear Pakistan is now an American colony and

is used as a doormat. American military personnel criss-cross our border without let or hindrance. Their drones violate our air space with the agreement of our government and kill innocent men, women and children. No questions asked. No public outrage. No country-wide protest demonstrations. No self-respecting country, big or small, would tolerate such intrusions.

Our country is in grave danger. Sixty-three years after Mr Jinnah gave us a great country, little men, mired in corruption, have hijacked it and destroyed his legacy. It is hard to exaggerate the baleful impact of Zardari's rule: the oligarch and the mafia who have stolen every asset of any value, the inflation that has ruined the middle class and the poor, the corruption that has corroded all values and humiliated every decent citizen; and the insecurities that have filled everyone with fear and anxiety.

Pakistan is descending into chaos and is caught between a hard place and many rocks. The political arena seems more like a forum of mass entertainment than a place of serious deliberation. Parliament, the chief instrument of democracy is cowed, timid, a virtual paralytic, over-paid and under-employed, totally insensitive to the sufferings of the people it claims to represent.

The present leadership is taking Pakistan to a perilous place. The course they are on leads downhill. It appears as if we are on a phantom train that is fast gathering momentum and we cannot get off.

Why are people who owe everything to this country so silent? The tragedy is that each person feels what is wrong and knows what is required to be done; they all lament over it, ritualistically, in drawing rooms across the country but none has the will or energy needed to seek something better; all have lofty ideals, hopes, aspirations, desires, regrets, sorrows and joys which produce no visible and durable results.

What will become of poor Pakistan? "What the end will be", Carlyle wrote, "is known to no mortal; that the end is near all mortals may know".

## **The revolt of the middle class**

**Wednesday, February 15, 2012**

A long line of thinkers, going back to Aristotle have spoken of the middle class as an enforcer of democracy and the rule of law. The middle class is the backbone of Pakistan. It provides the social glue that holds society together.

By “middle class”, I mean people who are neither at the top nor at the bottom of their societies in terms of income. It means people who are relatively well-educated, own property and are technologically connected to the outside world. They mobilise easily as a result of their access to technology. The chief instigators of the Arab Spring were well-educated Tunisians and Egyptians whose expectations for jobs and political participation were stymied by corrupt, authoritarian rulers.

In the course of its evolution, the capitalist society necessarily becomes polarised into two classes: the rich and the poor. This is what is happening in Pakistan today. The country has bifurcated into these classes. The yawning gap between the two is increasing, with a tenuous common culture linking them.

There was always a gap between the rich and the poor in this country, but it wasn't this big. What is worse, the salt of the earth poor are preyed upon by a decadent, nefarious financial elite. The rich live in gated, affluent enclaves, segregated from the poor who live like animals in disorganised slums lacking drinking water, electricity, gas and other necessities of life. You might say the two live on different planets.

The rich are getting richer; the poor are getting poorer and rapidly increasing in numbers. Among the contributory factors of this process of proletarianisation are the fast disappearing middle class and large increases in population relative to the possibilities of employment in traditional vocations. The day is, therefore, not far off when the poor will constitute the overwhelming majority of the population and surround the affluent enclaves.

No nation has ever lost an existing middle class but Pakistan is in danger of losing it. If the middle class withers, what might Pakistan look like? The middle class should be the barrier that protects the citizens from the howling winds of revolution. If it withers away, who will be able to stand the winds that follow?

The middle class has always played a major role as a stabiliser and harbinger of change in the politics of Pakistan. All the uprisings against elected or unelected rulers in the history of our country were bourgeois democratic revolutions, not real revolutions – not simply the removal of a ruler but the complete overthrow of the social, economic and political structures. Revolution is like fever. It passes through different stages. That is what is happening in Pakistan today.

Lawyers belong to a well-informed section of the middle class. Together with the civil society, they constitute the cutting edge, ready to face the challenges and issues that weigh so heavily on this great country. Four years ago, on March 9, 2007, to be exact, a judicial earthquake remade the political terrain.

From that day and from that place (the Army House), began a new epoch in the history of Pakistan.

March 9, 2007, also saw the return of political passions which had long been dormant. This was the moment when Pakistan lifted its head and began to fight back against the military ruler. The Bar and the Bench joined hands, for the first time in the history of Pakistan, and triggered a revolution. The middle class revolted and joined hands with them.

The protestors on Jinnah Avenue were not established opposition groups but an adhoc amalgam of the youth, civil society activists and urban professionals who found common cause in opposing pervasive corruption, bad governance, spiralling inflation, sky-rocketing prices etc. I was enraptured by being amongst them.

The presence of thousands of enthusiastic lawyers and civil society on the Constitution Avenue, protesting against the suspension of the chief justice and demanding his reinstatement, supremacy of the constitution, independence of judiciary, rule of law, was indeed exhilarating. They were not led by political leaders. Their struggle was not a contest for power. It was an unprecedented struggle, with Chief Justice Iftikhar Chaudhary as its symbol, to challenge despotism and restore the independence of the Judiciary and Rule of Law.

After the restoration of the deposed judges, the clock of history had stopped. Now it has started again.

While political leaders are dithering, the middle class is preparing for another showdown. Today, they are, in the words of Marx, the bulldozer of history and are writing a page of history that would one day be read and admired by their children. Unlike the Arab Spring which produced flowers of a decidedly

Islamist hue, the political awakening in Pakistan is driving the middle class into the arms of Imran Khan with his clarion call for corruption-free politics, good governance and change – radical change, not cosmetic change.

In Imran's public meetings, one can see a clean, neatly-dressed crowd, a variegated mixture of people with faces that betray intellectual pursuits: lawyers, clerks, professors, students, engineers, school teachers, civil service employees, shopkeepers and traders. The predominant element in the picture is the "de-classed" middle class, creatures visibly down at the heel, spiritually crushed in the struggle with everyday reality, distraught under a perpetual worry about the indispensable necessities of life. They are mostly young.

One thing is clear: the youth of today, the new angry ones are the light at the end of the long, dark tunnel.

Today Imran alone represents the passionate optimism of the youth. There is an authentic feel to him. Let us hope he bends history's arc back toward justice.

This will be the year of elections. The time has come for change. Pakistan is on the cusp of a new era. So let the chips fall where they may. But there are some caveats: who would ensure that voting would be free, fair, impartial and would reflect the will of the people? Who would ensure that voters would be allowed access to polling stations and would be able to cast their ballots free from fear, intimidation and coercion?

Elections held under Zardari and his cronies will be neither free, nor fair, nor impartial. The result will be a foregone conclusion. Our only chance is a revolt against the practitioners of grand larceny who are challenging the Supreme Court and desperately clinging to power.

In the current political debate one hears only two words. The first is leadership. The second is change.

The rest, as the French say, is du blah – blah. If the people decide that clean, honest, dynamic leadership in sync with the spirit of the times, is more important, they will elect Imran but if they decide that tried and trusted leadership should be given another chance, they will, as Dr Samuel Johnson said of second marriages, embrace hope over experience and re-elect Nawaz Sharif or Zardari.



## Judging the sovereign

Tuesday, January 31, 2012

I had the privilege of moving a petition in the Supreme Court challenging the validity of a deplorable legislation, not because I had an animus against any particular person. Nor did I stand to personally gain anything. I did so because, as a citizen, I felt it my duty to challenge such an iniquity being imposed on millions of my fellow citizens.

The nationwide jubilation which we witnessed after the Supreme Court delivered its landmark judgement in the NRO case was justified on many grounds. It restored the majesty of the Constitution; it proved the independence of the judiciary; it threw into the dustbin the odious agreement between a military dictator and an ambitious politician which was motivated purely by the desire of each to retain or gain political power. The court also directed that criminal proceedings against all the beneficiaries of the NRO should be continued from the stage at which they were withdrawn. The date was Dec 16, 2009.

While doing all this, the court did not exceed the limits of good jurisprudence and stopped short of actually assuming the role of a trial court and proceeding against any particular individual. It did, however, insist that the names of the beneficiaries should be disclosed, no matter how high and mighty they may be, and the amounts they had stolen be shown to the court and the public.

The government's refusal to send a letter to the Swiss court and, in particular, to comply with the Supreme Court directive is an alarm call of the most compelling kind. The fear of conspiracy against the Supreme Court hangs heavy in the air. Our history can show no precedent for so foul a plot as that which this corrupt, dying regime has hatched against the Supreme Court.

One thing is clear: disillusion is fast setting in. People are getting impatient and are asking questions:

- Why is the Supreme Court not taking action against the corrupt rulers who are defying its orders and not implementing the NRO judgment?

- Why is no action being taken against ministers guilty of contempt of court? What is preventing the court from taking action against the prime minister who is openly defying it?
- Why is the court not exercising its awesome powers under Article 190 of the Constitution? Is there one law for the common people and another law for the corrupt few who rule this country?

The “historic encounter” between Justice Nasirul Mulk heading the bench in the NRO contempt case and Prime Minister Yusuf Raza Gilani over the issue of immunity for President Asif Ali Zardari reminds me of the famous confrontation between Chief Justice Coke and King James I. “This means,” said King James, “that I shall be under the law, which it is treason to affirm.” “To which,” replied Chief Justice Coke, “I said that Bracton saith, quod rex non debet esse sub homine, sed sub Deo et lege” (the king should not be under man but under God and law). This was the first confrontation between the king and the superior judiciary in England. Chief Justice Coke did not waver. He did not falter. He risked going to the Tower but he stood his ground.

In the altercation between Chief Justice Coke and the King, there is personified the basic conflict between power and law. Coke did not stop with affirming that even the king was not above the law. In *Dr Bonham’s* case, Coke seized the occasion to declare that law was above the parliament as well as above the king; that when an act of parliament is contrary to fundamental law, it must be adjudged void. The year was AD 1608.

Zardari is obviously much more powerful than King James was in AD 1608. He is President of Pakistan, Co-Chairperson of the ruling People Party, and First Diplomat, all rolled in one. He is above the Constitution, above the parliament, above the law, accountable to none. He has power without responsibility. For all practical purposes he has become the state. No wonder, he gets away with murder.

It is not always easy to say no to the sovereign. In late July (43 BC) a Centurion from Octavian’s army suddenly appeared in the Senate House. From the assembled gathering, he demanded the Consulship, still vacant, for his General. The Senate refused. The Centurion brushed back his cloak and laid his hand on the hilt of his sword. “If you do not make him Consul,” he warned, “then this will.” And so it happened. Today the Supreme Court Reborn finds itself in a similar situation. It faces the unenviable task of deciding the question of President Zardari’s immunity. How will the court decide this contentious issue? It “ought to do that,” in the memorable words of Chief Justice Coke, “which shall be fit for a judge to do.”

The court has to decide whether President Zardari's case pertains to civil or criminal proceedings. He has no immunity if the proceedings are civil. The government of Pakistan was a civil party to the proceedings in the money laundering case in Switzerland, claiming that the money belonged to the people of Pakistan. The unauthorised letter written by Malik Qayyum to the Swiss court, in 2008, also stated that the government wanted to withdraw its case as a "civil party" in the money laundering case.

In the NRO judgment the court had observed: "It is to be noted that while making request to the foreign states for legal assistance, no request for criminal proceedings in such states can be demanded under Section 21 of the NAB Ordinance. The money laundering case in Switzerland was not opened upon the request of Pakistan; the Pakistan government became a civil party to the proceedings in Switzerland. One thing is clear: The issue is of civil nature and not of criminal nature. There is no mention of criminal proceedings, for the simple reason that it was a civil case in 1997 when the unauthorised letter was written by Malik Qayyum. It remained a civil case when the case was withdrawn. There might have been criminal proceedings in Switzerland but the government of Pakistan joined the proceedings in a civil capacity.

One thing is clear: Civil society must remain actively engaged. It must, as it did in the Judges' Case, see the battle through. No single individual, no matter how well-intentioned, can do it alone. If civil society is to be effective, it must organise itself as an identifiable and disciplined force. Those of us who took the initial steps now need the support of civil society as a whole to see that the spirit of the Supreme Court judgement is carried through. We must be ready to join in actions which ensure that thieves and robbers never again take the destiny of the nation in their hands. They must atone, they must be cast aside, they must not be allowed to enjoy the tainted wealth that they have acquired. It is our duty to ensure that the judgement of the Supreme Court is put into full effect, in letter and spirit.

## Great awakenings

**Monday, January 16, 2012**

The government's refusal to comply with the Supreme Court directives is an alarm call of the most compelling kind. The Supreme Court should be the barrier that protects the citizens from the winds of evil and tyranny. If we permit it to be desecrated or demeaned and it crumbles, who will be able to stand in the winds that follow?

No authoritarian or corrupt ruler can afford an independent judiciary. The two cannot coexist and are bound to collide. If you believe in democracy and rule of law and sovereignty of the people, you would not be anything other than angry, living in the current day and age. Criminals and mafiosos have found in 'democracy', the perfect Trojan horse for attaining and preserving power. It has provided a shell under which gangsters plunder and beggar their people. Independent judiciary does not suit them. No wonder, they have all ganged up against the Supreme Court.

In Pakistan, as in all federations, the Supreme Court plays a crucial role. It is under the constitution but it alone has the power "to say what the Constitution is". It is the sole and unique tribunal of the nation.

Without the judges the constitution would be a dead letter; It is to them that the executive appeals to resist the encroachment of parliament; the parliament to defend itself against the assaults of the executive; the federal government to make the provinces obey it; the provinces to rebuff the exaggerated pretensions of the federal government, public interest against private interest etc. Their power is immense. But they are all-powerful only so long as the people and the government consent to obey the laws. They can do nothing if they scorn it.

Chief Justice Iftikhar Muhammad Chaudhry faces an uphill task. An awesome responsibility rests on his shoulders. The judicial revolution triggered by him is irreversible. Let there be no doubt about it. Any attempt to undo it will be resisted. The people have planted an independent judiciary in the path of our turbulent democracy. No longer would the executive be a law unto itself. Today there are many now willing to fight to defend their hard-earned independent judiciary. Try to destroy the independence of judiciary, and the moment is not far off when this beautiful country will be plunged into a civil war.

When politics or politicians fail to resolve or even to address the great issues people face, what often happens is that civil society rises up to change politics. Historians call such moments “great awakenings” which often lead to big changes in society. Today Pakistan may be on the edge of such a time once again with a younger generation of men and women ready to face the challenges and issues that weigh so heavily on this great country.

Today we must be ready to join in actions which ensure that thieves and robbers never again take the destiny of the nation in their hands. They must atone, they must be cast aside, they must not be allowed to enjoy the tainted wealth that they have acquired. It is our duty to ensure that the judgement of the Supreme Court is put into full effect in letter and spirit.

We have arrived at the epilogue, at the greatest turning point in our history. One feels in the air the sense of the inevitable which comes from the wheel of destiny when it moves and of which men are often the unconscious instruments. Zardari’s star has grown dim. He is losing political capital by the hour. Today it is hard to find anyone who believes a word of what he says. Today the only person willing to defend him is none other than Zardari himself, so alone and so beleaguered.

It is time to turn the page. The time to hesitate is through. This is a moment of great hope for Pakistan.

Don’t let it turn into a national nightmare. In this transcendent struggle between the Supreme Court and kleptocracy, neutrality is not an option. You’re either with the people or against them. There is no half-way house. As we approach the endgame, the nation has to decide between two conceptions of politics, two visions for our country, two value systems, two very different paths. Every citizen must ask himself now: if our core institutions are to survive, if Pakistan is to survive, whether we can afford to let our corrupt rulers remain in power and destroy all our core institutions.

Ultimately, the true guardians of the Constitution are the people of Pakistan. People power alone can protect the Supreme Court from corrupt rulers. Our rulers know that the street is all they have to fear.

Confronting them has now become a patriotic duty. Today there is no other path for our country, but the one, which led to the restoration of Chief Justice Iftikhar Chaudhry and other deposed judges.

What prevents the opposition parties and their leaders from joining hands and presenting a united front against corrupt rulers out to destroy all our core

institutions? What prevents them from taking to the street, as they have in other countries and as they have in the past in this country? Isn't it a great tragedy that at a time when a window of hope has opened, our political leaders are dithering and cannot forge a united front against the corrupt rulers? The time has come when the ultimate sovereign - the people of

Pakistan - must assert itself.

## **It is time we changed the bowler**

**Monday, January 02, 2012**

“Perhaps no form of government”, said the historian and diplomat Lord Bryce, “needs great leaders so much as democracy”. The corrupt leadership ruling Pakistan today has proved unable to govern a country rent by political, ethnic, economic, and social conflicts. No wonder, Pakistan is a nightmare of despair and despondency, in doubt about its future. The rich are getting richer, while the poor, well, they are still dirt poor and are sinking deeper and deeper into a black hole of abject poverty. The country appears to be adrift, lacking confidence about its future. Disaster and frustration roam the political landscape. Look into the eyes of a Pakistani today and you will see a smouldering rage.

Sadly, Pakistan is a nation of teahouse politicians, with no commitment to principles and no values. Here we have pocketbook liberals, pseudo democrats and orthodox religious leaders concerned only with making tons of money in the shortest possible time. A chasm separates them from most Pakistanis who see them as a predatory group, self-enriching and engaged in perpetual intrigue while the country collapses. The result is a landscape teeming with demystified, antiheroic, ethically compromised leaders begrimed with corruption. So, it is not surprising that there is such a shortage of inspiring or even reassuring political figures in Pakistan today.

In Pakistan, nothing has so altered the fortunes of so many so suddenly as political power. Here money and power seek each other. No wonder, the business of politics generally attracts the scum of the community. These practitioners of the art of grand larceny loot and plunder in broad day light with no fear of accountability. Naturally, everybody wants to be on the winning side. Nobody wants to be left out in the cold.

All we expect our leaders to do is to keep their hands clean when a poor impoverished electorate puts them in power. Is that too much to expect? Is that too big a sacrifice? Is the temptation to loot and plunder too irresistible? Is it pardonable because it is too widespread? A tell-all approach to high level corruption has negative consequences as well. After being subjected to the bombardment of corruption cases, Pakistanis have begun to question not only the violators but the laws themselves. If everybody seems to be indulging in corruption, then one can only conclude that the virtue in question - honesty, integrity - are themselves something of a sham. When every holder of public office is corrupt, it is hard to make the case to the next generation - that honesty is the best virtue in public life.

In America, presidents retire, with their hands clean, to some place they call home. They are no angels but they don't abuse their power to make money while in office. They all make a bundle, writing books, after their release from their vows. Our rulers begin to loot and plunder immediately after taking their vows. The Zardari-Gilani duo went about it with a relish that really knew no shame. They thought the country really didn't care and made the exalted office the stepping stone to fabulous riches. Is it any wonder that when the axe falls on them and it will fall sooner or later, the people will heave a sigh of relief and welcome the army?

In these harsh and difficult political times, the question of the leadership's character is at the centre of our national concerns. For a person, party or nation, the element essential to success is character. "Fame is a vapour, popularity an accident", wrote Horace Greeley, "riches take wing, and only character endures".

"In a president character is everything", Peggy Noonan writes in her assessment of Ronald Reagan. "A president does not have to be brilliant. Harry Truman was not brilliant and he helped save Western Europe from Stalin. He does not have to be clever, you can hire clever... but you cannot rent a strong moral sense. You can't acquire it in the presidency. You carry it with you". If a president has integrity, if he has credibility, if he is believable, nothing else matters. If, like Zardari, he has no integrity, and no credibility: if there is a gap between what he says and what he does, nothing else matters and he cannot govern.

We live in a country that is terribly wrong and politically off course. When will this tormented country be whole again? When will this sad country be normal again? The engine is broken. Somebody has got to get under the hood and fix it. Can Imran ride the storm raging outside like Valkyrie, determined to save Pakistan?

A palpable sense of melancholy pervades Pakistan. Tragedy aplenty: No cash. No gas. No electricity. No hope. And Zardari. At last, people have found their life's mission: fight corrupt, discredited rulers, elected or unelected. And I believe they have also found the tool to achieve this uphill task: massive street demonstrations and rallies.

These are critical days in Pakistan. There is no steady hand on the tiller of the government. The survival of the country, its sovereignty, its stunted democracy, its hard-won independent judiciary, all are on the line. In these dangerous times, anything is possible. I shall not be surprised at any event that may happen. The country is gripped by fear and uncertainty. Today the country is as near to anarchy as society can approach without dissolution.



These are dangerous times in our country. These are also anti-elitist times. Angry mobs are howling for retribution. Pakistan is seething in ferment and in disarray. This is dangerous. Under an imbecile and feeble government, as we have today, there is but one step from discontent to revolution. A sad situation but true.

Today Imran is the only truly national figure in the bleak, fragmented Pakistani landscape. In this atmosphere of gloom and doom, destiny is beckoning him. Today he is the right man, at the right time and the right place to shake up this stagnant nation's sclerotic status quo and dislodge the corrupt leaders catapulted to the summit of power in the wake of Benazir's assassination. It is our good fortune to have found the right leader whose character, integrity, credibility and ability fit the tide of history. He has courage, stamina, patriotism, idealism and habit of hard work that have become part of his being.

Today he alone embodies something like the nation's romantic dream of itself.

How will he reconcile hordes of political leaders, with diverse backgrounds and conflicting ambitions, gravitating towards him? As cricket captain, dealing with cantankerous team players required more dexterity than most politicians expend in a lifetime. Keeping them together has made interaction with party leaders seem like a walk in the park.

It is amazing how history repeats itself. After the massive, unprecedented jalsa in Karachi, Imran's political career (like Bhutto's from 1966 to 1970) has turned into a love affair with the people of Pakistan.

Like ZAB's short period of four years, it now appears as if Imran and the people of Pakistan were made for each other. Nothing can stop him now from capturing political power. But "power is heady wine", Churchill once said. Let us hope and pray it does not turn Imran's head.

Citizens! The wheel is turning, it is time for Zardari to go. It is time we changed the bowler.

## Death from the sky

Wednesday, December 14, 2011

Saturday, November 26 will go down in our history as a black day. On that day, America's "war on terror" reached Pakistan's Salala Post, in Mohmand Agency, manned by jawans of the Pakistan army.

While our soldiers were sleeping, the US and Nato gunships targeted the post without any provocation.

Innocent blood was spilled in pursuit of Obama's ambitions and nightmares. Missiles rained down killing 24 soldiers, including two officers, and injuring many others.

The deadly Nato operation led by an American general lasted for three hours. Dead bodies lay all around the post. It was not a mistake, it was targeted. No apology from President Obama, the Secretary of State or the Pentagon. Not surprisingly, anger in Pakistan reached a fever pitch. People all over Pakistan boiled over in righteous indignation. When the US strikes, apology for a wrong committed is unnecessary because, of course, the United States is never at fault. America has never apologised to the Iraqi people for years of carnage carried out in the name of the WMDs, weapons that were never found because they were never there. Obama dodges the need to apologise on the premise "that we are up against people who show no shame, no remorse, no hint of humanity". "The unfortunate", Mirabeau once said, "are always wrong", even when they are the victims. Our moment of truth arrived on November 26. We are at the crossroads.

On the eve of Mr. Jinnah's departure, from New Delhi for Karachi, Henry F Grady, the American ambassador to India, paid him a farewell call. Expressing great admiration for the United States, Mr. Jinnah reiterated his hope that America would assist Pakistan "in its many problems". When Grady asked whether he desired to indicate any specific matter, Jinnah replied laconically, "not at this time". It did not take him long to realise that Pakistan faced a much stronger and wily adversary, determined to strangle it in the crib; and that Pakistan stood alone in the ring. Faced with the prospects of such a desperate situation, the Quaid-e-Azam turned to the United States for assistance. This was the beginning of our romance with the United States. What went wrong?

The alienation between the people of Pakistan and the United States has never been more intense.

Relations between Pakistan and the US have never been as stormy as they are today. Relations have been steadily deteriorating ever since a Navy Seal team killed Osama bin Laden near Abbottabad in May.

Matters became still worse in September, when Admiral Mullen, former Chairman Joint Chief of Staff accused Pakistan of supporting an attack on the American Embassy in Kabul. On Saturday, November 26, the relationship hit a new low when a Nato air strike killed two dozen soldiers in Salala.

On July 12, 1961, when President Ayub visited Washington, he told the Joint Session of the Congress of the US: "The only people who will stand by you are the people of Pakistan provided you are also prepared to stand by them. So, I would like you to remember that whatever may be the dictates of your commitments, you will not take any steps that might aggravate our problems or in any fashion jeopardise our security. As long as you remember that our friendship will grow in strength".

In his welcome address, President Kennedy said that Pakistan was 'a friend of immediacy and constancy', and observed that 'Americans in private and in their public life appreciate the value of friendship and the constancy of friends'. Fine words and noble sentiments but they ring so hollow today.

In the real world, as every student of international relations knows, there are no permanent friends, only permanent national interests.

The Washington Times' portrayal of Pakistan as America's 'retriever dog' deeply offended the people of Pakistan and sparked a wave of protest all over the country. The cartoon clearly shows what the Americans think of Pakistan and its people. They do not appreciate the value of friendship and the constancy of friendship. They use Pakistan whenever the need arises, throwing it away when no longer needed.

Who says we are friends? We have never been friends. There can be no friendship between the strong and the weak. There can be no friendship between unequals, neither in private life nor in public life.

"The strong do what they can", the Athenians told the intractable Melians, "and the weak must suffer what they must".

The farewell address of George Washington will ever remain an important legacy for small nations like Pakistan. The father of the American Republic cautioned that "an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter". "It is folly in one nation", George Washington observed, "to look for disinterested favours from another...it must pay with a portion of its independence for whatever it may accept under that character". No truer words have been spoken on the subject.

Today say "Pakistan" and what comes to mind: sham democracy, fraudulent referendum, rigged elections, a corrupt president, a rubber stamp parliament, a figurehead prime minister. Democracy in the West means a political system marked not only by free, fair and impartial elections, but also by rule of law, and an independent election commission. All these institutions are non-existent in Pakistan. So how can Pakistan resist American pressure and be secure in its independence when it is not free in its spirit; when it is not free in its institutions?

It is a matter of deep concern that Nato has extended its military operations to Pakistan. Nato is a military alliance in search of an enemy. It had been created, in Lord Ismay's famous words, "to keep the Americans in, the Russians out, and the Germans down". Confronted by a Western Europe still in ruins and a Soviet Union triumphantly consolidating its conquests, Europeans joined hands, in 1949, with Americans and Canadians to create a military alliance to stem the further encroachment of the Soviet tide.

Soviet Union died long ago. What is Nato doing so close to our border? That is the question.

Once we thought this one-of-a-kind American president could do great things. In his inaugural address he focused more on "soft power" and told the Muslim world that he wants "a new way forward, based on mutual interest and mutual respect". All that seems to have changed. His message for Pakistan now is loud and clear: do as I tell you, or else. This is not the way the Americans treated us or talked to us when they were wooing us. This is what happens when you have been in the harem too long.

"The single greatest threat to (Pakistan)", Obama said recently, "comes from Al-Qaeda and their extremist allies". This is not true. All our major problems stem from American occupation of Afghanistan and its frequent intrusions into our tribal territory. It has turned our tribal area into a protracted ulcer, a quagmire - a place where Pakistan is spending blood and treasure to protect American interests.

Once we could do no wrong in the American eyes. Now we are in the dock, alone in the ring, facing all kinds of charges. We have achieved the impossible. We have the dubious distinction of alienating both the superpowers. And to add insult to injury, America has found a new dance partner in India. Today Pakistan is out in the cold, marooned, rejected, discarded. One thing is clear: the belief that Pakistan has no alternative but to slavishly obey its master's voice could turn out to be one of seminal strategic miscalculations of the 21st century.

## **The enemy within**

**Monday, November 28, 2011**

Pakistan's greatest enemy today is the enemy within. "Ameer," Quaid-e-Azam told Raja Sahib of Mahmudabad in 1948, "You have no idea of the situation here. I am surrounded by traitors". The situation we face today is much worse. Traitors and foreign agents have captured political power with foreign support. They are busy undermining our political and military institutions and constitute a serious threat to the independence and sovereignty of our country. A lesson to be drawn from the works of Gibbon is that Rome's enemies lay not outside her borders but within her bosom, and they paved the way for the empire's decline and fall - first to relentless barbarian invaders from the north, and then, a thousand years later, to the Turks. We must not let this fate befall our country.

Look where Pakistan risks going, in contrast to where she was headed a decade ago. The Supreme Court defied, all our institutions trampled upon by a corrupt ruler, our international prestige debased and a bankrupt economy. Tragedy aplenty: no drinking water, no electricity, no gas, no jobs, no cash, rampant corruption, no hope and Zardari. And to cap it all, the Memogate scandal: a dark, sinister, high-level conspiracy directed at the armed forces, a dastardly, cowardly, despicable criminal conspiracy designed to emasculate and destroy the army as a fighting force, the only shield we have against foreign aggression and the only glue that is keeping the federation together. It was an unsuccessful attempt to undermine the army's much cherished independence and make significant changes in its decision-making system. The plan was to sweep away the existing system of command and raft of unpalatable generals and merge political and military power.

The affair began with an article published in the Financial Times on October 10, 2011, authored by Mansoor Ijaz, wherein it had been claimed that early on May 9, a week after US special forces stormed the hideout of Osama bin Laden and killed him, a senior Pakistani diplomat telephoned him with an urgent request that Pakistan's President Asif Ali Zardari needed to communicate a message to White House national security officials that would bypass Pakistan's military and intelligence channel. After the publication of the said article, former ambassador Husain Haqqani and the presidency of Pakistan dismissed the author's claim by lightly brushing it aside as mere fantasy. It is now abundantly clear that, if proved, the act in question of the individuals who initiated the said memorandum, the ones who rendered any help or assistance in the matter and those who blessed or approved it, renders them culpable for acts of high treason.

I worry about one thing only: that light may not be shed in full and may not be shed immediately on this sordid affair. A judgement behind closed doors following a secret investigation would not put an end to anything. The apex court, which is now cognisant of the matter, must, therefore, identify the individuals responsible for, or involved in, initiating the process leading to the said memorandum, authoring the same, providing any assistance, whatsoever, in the process or approving the said act. Only then would this sad story really unfold. For people would have to speak up, since keeping silent would make them accomplices. What folly it is to think that anyone can prevent history from being written! Well, the history of this heinous crime shall be written, and not one person with any responsibility in it, irrespective of how high up, will go unpunished.

I realise what storms it is going to stir up, but truth and justice are sovereign over all else, for they alone make a nation great. Political interests or special interests may blot them out momentarily but any nation that did not base its *raison d'être* on truth and justice would today be a nation doomed. I am striving for the honour of the armed forces and the greatness of the nation and nothing else. If some corrupt people, who still hold sensitive positions of trust and responsibility, have to be brought to justice and given exemplary punishment to make Pakistan healthy again, why shield them? Why not make a horrible example of them?

I realise that the interests involved are too great and the men who wish to stifle the truth and protect the guilty, are too powerful and, therefore, the truth may not be known for some time. But there is no doubt that sooner or later – perhaps sooner rather than later – every bit of it, without exception, will be divulged. It will be difficult. It will require a great deal of effort, but the truth will be revealed. And those who are combatting the truth will find, to their dismay, that as the poet Euripides said: “*Quos vult perdere Jupiter*” (Jupiter drives to madness those whose downfall he desires).

President Nixon was not corrupt. Nobody questioned his integrity. Nobody said he had conspired with a foreign power to undermine national interests by secret or insidious means. Nixon was not charged with treason. But for his involvement in the cover-up of the Watergate scandal, he was forced to resign and hounded out of the Oval office. Twenty-five people were sent to prison because of the abuses of his administration, and many others faced indictments, including two attorney generals of the United States and several top officials of the White House. We in Pakistan will not be able to live with ourselves if the real culprit, the man whose duty, honour and *raison d'être* it was to obey the law, serve the state and protect the Constitution, goes unpunished.

After the fall of Nixon, David Gergen, a White House advisor to President Nixon, wrote, "the received wisdom is that Watergate teaches us two basic rules about politics. One, never elect a man of low character to high office. Two, if a president and his team do make an egregious mistake, a cover-up is always worse than the crime."

The story of Watergate should be required reading for every head of state and head of government in every country governed by law. Not in Pakistan. Here corrupt rulers get away with murder. They defy the Supreme Court, resist implementation of its orders, commit contempt of court with impunity, enter into criminal conspiracies with foreign powers and rule the country as if they have done nothing wrong.

"Though thou exalt thyself as the eagle and though thou set thy nest among the stars, thence will I bring thee down, saith the Lord." The crime against the state of Pakistan cries out to heaven for vengeance. It is but one example of the executive's treachery and contempt for the Constitution, military institutions and the laws of this country. It is a challenge we must all accept. It is a challenge we have every intention of winning. We are in for a real battle. Today, it is a political and moral imperative for all patriotic

Pakistanis to expose the traitors, unmask the conspirators, resist foreign intervention in our internal affairs, civil and military, and destroy the roots of evil that afflict Pakistan.



## A star has arisen

Thursday, November 10, 2011

I am no clairvoyant and don't claim to possess the faculty of perceiving things and events in the future but prior to Imran Khan's historic meeting in Lahore on the green fields of Minar-e-Pakistan, this is what I wrote in this column:

*"The ossified political parties are out of sync with the spirit and essence of times and are fast becoming irrelevant. There is a vacuum awaiting a star who has both integrity and credibility. Destiny is beckoning Imran, a leader of great integrity and credibility, a whirlwind of a leader, harbinger of change, a man of high energy level and unbounded vitality. More and more people are looking up to him to deliver shock therapy to the corrupt, encrusted, two-party duopoly running the show in Pakistan. Today, he alone has that passion burning within him that will unleash people power and set the nation alight? He is, mark my words, destined to change the political landscape of Pakistan."*

The massive turnout stunned friends and foes alike. On that day, the people, as if in a sudden rush of understanding the power of their numbers, gravitated towards Minar-e-Pakistan. We saw wave after wave of singing, shouting men and women, mostly young, heading for Iqbal Park. You could not be faulted for believing that this was a juggernaut, an invisible force, a bloodless victory machine. No, not a machine, but an army of unarmed citizens. It was not a river. It was not a flood. It was a tsunami. The mood among the people verged on ecstasy. The atmosphere was electric. It was a historic turning point in the politics of Pakistan. Imran Khan had arrived.

I subscribe to the hero theory of history that great men do make a difference. In the history of the world those who have won have always been those who challenged the unchallengeable at the right time and at the right place. "If the individual and the situation meet," Willy Brandt told Oriana Fallaci, "then the machinery is set off by which history takes one direction instead of another." The individual and the situation met at the Minar-e-Pakistan on October 30 with unpredictable consequences.

The darkest hour is just before the dawn and as generally happens in history, it is at the darkest hour that a bright star arises when you had almost given up hope. The hour has found the man who has the will and the power to restore the Pakistan dream. Today Imran embodies the nation's romantic dream of itself. It seems that the last 15 years or so he spent in the political wilderness had been

but a preparation for this hour and for this trial. A window of hope has opened for Pakistan.

“People confuse two types of politics,” Imran told The New York Times. “One is the politics of movement. The other is traditional power-based politics. Tehreek-e-Insaf is never going to win the traditional way.”

Imran is the only leader with the unique qualifications to confront and master our severe political and economic predicament. At long last, people have found a leader who will light a candle in the gloom of our morale; who has a passion burning within him that will set our nation alight; who will be the standard-bearer of the disenfranchised; who can give voice to our humiliation; who places country above self; who restores the process of national revival; who gives the country a new agenda, one that does not replace once set of corrupt leaders by another; who offers the genuine hope of a new order to take us into a new millennium; who stitches the country back together; whose heart is in the right place; whose hands are clean; who restores the rule of law; and who protects the citizen’s honour, person and property; a crusader against high-level corruption, who will purge the country of all corrupt elements.

Today all the symptoms which one had ever met within history previous to great changes and revolutions exist in Pakistan. The country appears to be adrift. Pakistan is sliding into anarchy. One of the earliest and most spectacular acts of the great uprising in Paris in July 1789 was to pursue the economic vampires who were widely rumored to have secreted away their booty. “Tremble, you who sucked the blood of poor unhappy wretches,” warned Marat. “These blood suckers either give an account of their larceny and restore to the nation what they have stolen or else, be delivered to the blade of law.” This will be one of Imran’s top priorities.

If people want a fundamental change, they will first have to vote with their bodies like the Arabs and keep voting in the streets. A corrupt regime like this, which is defying the Supreme Court, can only be brought down or changed if enough people vote in the streets. This is what the regime fears most, because it either has to shoot its people or quit.

The idea that you can just hold elections, fair or unfair, while everything remains colonial, feudal and medieval, means you won’t get democracy but some perversion of it as we have today in this country.

Elections are necessary but not sufficient. Elections alone do not make a democracy. Creating a democracy requires a free and independent country (which Pakistan is not today), an inviolable constitution, sustained commitment

to develop all the necessary elements: a transparent executive accountable to parliament, a powerful and competent legislature answerable to the electorate, a strong, independent judiciary, and a free and independent media. To assume that vote alone will automatically bring about a democratic metamorphosis would be to condemn Pakistan to a repeat of the cycle seen so often in our history: a short-lived period of corrupt, civilian rule, a descent into chaos and then army intervention.

Imran must, therefore, resist the temptation of participating in the General Election if it is held under the present corrupt rulers. Election held under Zardari and his cronies will be neither free, nor fair, nor impartial. The result will be a foregone conclusion. The present corrupt rulers must be dislodged from power before elections are held. Zulfikar Ali Bhutto did exactly that. He led a virulent campaign against Ayub and hounded him out before participating in Election 70, the first free, fair and impartial election held in Pakistan.

The only antidote to the debilitating situation we find ourselves in is to throw out this corrupt government and give the people a chance to elect their representatives with a fresh mandate. Everybody knows this is the only effective answer. Imran Khan knows he is on a winning streak, but he also knows that there are major battles to be fought and won. The need for continued show of popular backing is, therefore, as urgent as before. The only way to ensure victory is to wield the weapon which has brought the anti-Zardari movement thus far: massive demonstrations, rallies and marches as evidence of popular backing. Pakistan awaits the revolution that will overturn the status quo.

## **Years that the locust hath eaten**

**Wednesday, October 05, 2011**

Sometimes extreme dangers, instead of elevating a nation, bring it low. That is what happened to America after 9/11. I was in Washington DC on that fateful day and, returning from an early morning walk, was shocked to watch on television the terrible human tragedy in which thousands of innocent men and women lost their lives. Nobody can justify or condone a crime of such unparalleled magnitude.

We understand America's anger and we shared its grief and pain, but on Sept 20, as we listened to President George W Bush's wartime rhetoric and Wild West allegories, we held our breath. When he finished, the spontaneous reaction of all those present was that he had virtually declared war on the entire Islamic world. It is unfortunate that he called his riposte a "crusade," because he could not have chosen a word more likely to antagonise Muslims. America set off on the warpath against the Islamic world. Today Afghanistan and Iraq are under American military occupation. Libya is well under invasion, and Iran, Syria, and Pakistan appear next on the hit list. This, to paraphrase Clausewitz, is continuation of colonialism by other means.

How did 9/11 impact Pakistan? Gen Musharraf succumbed to a telephoned "ultimatum" from Washington on Sept 12 and promised "unstinted" cooperation to the Americans in the so-called war on terror. On Sept 13 he accepted all of their seven demands which he was told were not negotiable. "It looks like you got it all," a surprised Bush told a triumphant Colin Powell. No self-respecting, sovereign country, no matter how small or weak, could have accepted such humiliating demands with such alacrity. Gen Musharraf executed a U-turn and disowned the Taliban. Pakistan joined the "coalition of the coerced."

It was entirely Gen Musharraf's decision. The search for consensus that he talks about started on Sept 18 when surrender was already an accomplished fact. The Afghans never stabbed us in the back when we were in trouble and at war with India. No Afghan government was as friendly to Pakistan as the Taliban government. By allowing Americans to use our territory as a platform for bombing Afghanistan, we antagonised the Afghans, especially the majority Pakhtun who live in the Pakhtun belt along our border.

For the first time in the history of Pakistan, a military government laid the foundation of permanent enmity with Pakhtuns on both sides of the border.

Musharraf had to choose between saying no to the American diktat and shame. He chose the latter, and opted for collaboration. Thus began Pakistan's slide into disaster. We would have suffered if we had said no. But that is a little matter. We would have retained something which is of great value. We would have walked about the world with our heads erect. Prime Minister Nawaz Sharif defied President Clinton and carried out a nuclear explosion. The Turks said no to the Americans and refused to allow them transit facilities for their invasion of Iraq. Despite tremendous pressure, the Iranians are courageously guarding their nuclear facilities.

History will never forgive Gen Musharraf for reversing Mr Jinnah's Waziristan policy under American pressure, with disastrous consequences for Pakistan. When the British left, Mr. Jinnah took a bold decision to reverse the "pacification" policy, withdrew regular troops from Waziristan and entered into new agreements with the tribes. The change in policy produced dramatic results and paid rich dividends. All this has now changed. Mr Jinnah's Waziristan policy, which had stood the test of time, has been reversed. The result is a totally unnecessary and avoidable state of armed confrontation between the army and tribesmen.

Today Pakistan is not the country it was a decade ago. Back then, the country was settled, stable, democratic and free. Today, thanks to Musharraf and his NRO, Pakistan is a "rentier state," ill-led, ill-governed by a power-hungry junta supported by America. In the attempt to build "pure democracy," this is what we get: a fraudulent democracy, a corrupt president and equally corrupt figurehead prime minister, a rubberstamp parliament, Potemkin villages dotted all over the country, the nation's army at war with its own people in Waziristan; flagrant violation of our airspace and national sovereignty by US aircraft and security personnel.

How will history remember Gen Musharraf? That he capitulated under American pressure and compromised national sovereignty; that Pakistan lost its independence and virtually became an American colony during his presidency; that he subordinated national interests to his political ambitions; that he inducted the army into the politics of Pakistan; that he used it as an instrument for capturing and retaining political power; that in the process he did incalculable harm to the army and to the country; that he joined hands with the corrupt and discredited politicians to acquire political support; that he held a dubious referendum so that he could rule another five years; that he allowed blatant, flagrant use of the administration and official machinery in support of the "king's party"; that he turned parliament into a rubberstamp; that he broke faith with his people when he failed to honour his public commitment to give up his

post as chief of the army staff and doff his uniform; that he defaced, disfigured and mutilated the Constitution in order to perpetuate his rule; that he promised a great deal and delivered very little. His presidency will go down in history as a case study in the bankruptcy of military leadership. The years he remained in power will go down in history as “the years that the locust hath eaten.”

What fate awaits Gen Musharraf if he ever came to Pakistan? History will doubtless charge him with a number of sins of omission and commission and its judgment will be harsh. On the central accusation – that he toppled an elected government, arrested the prime minister and the chief justice and suspended the Constitution, he will be held guilty of treason.

Remember, Marshall Henri Philippe Petain, the hero of Verdun in World War I. After the liberation of France, he told the Fuhrer, his host in Germany, that he was leaving for France to surrender himself to the will of the French people. When he crossed the French border, a general of the French army arrested him in the name of Gen Charles de Gaulle. He was tried for collaboration and sentenced to death. Gen de Gaulle commuted it to life imprisonment in recognition of Marshall Petain’s services to the French people in World War I. Petain, the hero of Verdun, died in jail. Why doesn’t Gen Musharraf, a proclaimed offender and fugitive from justice, with no military victory to his credit, follow Marshall Petain’s noble example, catch the first PIA flight and return to Pakistan to face his people and meet the fate awaiting him?

Tailpiece: Why is the NRO case, in which Zardari is the principal beneficiary, hibernating in the Supreme Court? Will it ever come alive, I wonder. I am one of the petitioners.

## **Between hope and fear**

**Wednesday, September 14, 2011**

Somehow, somewhere along the line, we have gone astray. We were such good people when we set out on the road to Pakistan. What happened then? An evil spirit now hangs over Pakistan. The people are too tired, too disappointed, too disillusioned, too often betrayed and too ill-informed to comprehend the issues churning beneath the placid surface of life. Depression, fear, frustration and anger no longer have an outlet in politics. The people have, therefore, turned inward, to religious orthodoxy, to intolerance, the small things in life, to local politics and impotent rage.

These days, like most Pakistanis, I feel very troubled. It is as if one is constantly boiling inside with helpless indignation, enraged to see such a good country going to hell. People are watching apprehensively as the country goes downhill, its strength gradually sapped by dissension and divisions, by an incomprehensible blindness in foreign, domestic and military policy, by the ineptness of its corrupt leaders, and by a feeling of growing confusion, hopelessness and cynicism among the people.

Trust in institutions is at a historic low. It is impossible to be calm and quiet in a country that is going downhill. A country that tolerates a situation in which people begrimed with corruption rule, is a sick country.

Today Pakistan sits between hope and fear. Hope for a political possibility, albeit fast receding, that would lead to a genuinely free and democratic Pakistan ready to regain its place among the democratic nations of the world. Fear that, Zardari will perpetuate his corrupt rule with disastrous consequences for the country. He is playing with fire. But playing with fire tends to produce explosions.

Today the threat to Pakistan is not external. It is internal. This brings to mind Toynbee's comment that a civilisation doesn't die from being invaded from the outside but rather commits suicide.

A lesson to be drawn from the works of Gibbon is that Rome's enemies lay not outside her borders but within her bosom, and they paved the way for the empire's decline and fall - first to relentless barbarian invaders from the north, and then, a thousand years later, to the Turks.

Many early symptoms that heralded the Roman decline may be seen in our own nation today: periodic military intervention in the affairs of state, prolonged military rule, concentration of power with one corrupt ruler without responsibility and accountability, contempt for constitution and political institutions, absence of rule of law, rampant corruption and greed. When the history of Pakistan comes to be written, the verdict of history will almost certainly be that corrupt civilian and military dictatorships, more than anything else, destroyed Pakistan.

Today Zardari is virtually the Atlas on whose shoulders the state of Pakistan rests. People compare him to Pooh-Bah, the Gilbert and Sullivan character who exercised every function of state except that of public executioner. When you centralise power, you alone get stuck with all the responsibility when things go bad. And that is what is happening in Pakistan today.

“What rubbish, we are a nuclear state. How can we be called a failed state?” a former foreign minister responded angrily to a report published in Foreign Policy on a failed states index for the year 2006. Does this administration know nothing of history? Generals may be excused because they “don’t read history. They make history”. But our foreign minister should know better.

Pakistan is not a failed state; it is a case of failed leadership. Talking about leadership, Napoleon once famously said: “An army of rabbits commanded by a lion is better than an army of lions commanded by a rabbit.” We have a first class army. Our nation has the heart of a lion. Who is there to give it the roar? When will this tormented country be normal again? Zardari is leading it to a perilous place.

Unfortunately, his autocratic rule is fast acquiring the mantle of permanence. Unless checked, the country will settle into a form of government with a democratic façade and a hard inner core of authoritarianism – an iron hand with a velvet glove. When that happens, there will be no need for the imposition of martial law. Anyone who thinks Zardari will hold free, fair and impartial elections in 2013, should go home, take a nap, wake up and think again.

Today all the symptoms which one had ever come across in history prior to great changes exist in Pakistan. The country appears to be adrift. Nobody knows where it is headed. We are on the verge of a political and economic collapse. The social contract between the government and the people has collapsed. The dialogue between the two has broken down.

All the philosophers tell the people they are the strongest, and that if they are sent to the slaughterhouse, it is because they have let themselves be led there.



Autocracy is retreating everywhere except in Pakistan.

Why? In other countries there are men and women who love liberty more than they fear persecution. Not in Pakistan. Here the middle class who owe everything to this poor country do not think in terms of Pakistan and her honour but of their families, their job, their business interests etc. Surrender rather than sacrifice is the theme of their thoughts and conversations. I am exasperated at those camping comfortably on the raw edge of a volcano and do not see disaster looming ahead. What is tragic is the total failure of the politicians, the intelligentsia, the intellectuals, in fact, the entire civil society to comprehend the threat posed by a powerful corrupt ruler to the country's survival, and to devise ways and means to thwart it.

I see only one sure path: mobilise the people to take to the streets. The time for drawing-room discussions is over. It pains one to witness a proliferation of excuses for inaction, a grotesque abdication of responsibility. The western-educated elite and the middle-class lice, as Lenin described it, will not coalesce and join the struggle against corrupt rulers just now. They will wait and see.

I still remain hopeful we can rouse ourselves to save our country. But the time is growing short. We are fast approaching the edge of a huge waterfall and are about to plunge over it. Unfortunately, no one seems to realise that it is almost too late to turn things around.

"Amir!" Quaid-e-Azam told Raja Sahib of Mahmudabad in 1948, "You have no idea of the situation here. I am surrounded by traitors." The situation we face today is much worse. Traitors and foreign agents are roaming the country. Therefore, it is a political and moral imperative for all patriotic Pakistanis to expose the traitors, fight for our core values, resist foreign intervention in our internal affairs and destroy the roots of evil that afflict Pakistan. Let us put our hand on the arc of history, and bend it once more toward the hope of a better Pakistan.

## **Killing fields**

**Thursday, August 25, 2011**

Today Pakistan has nothing to smile about. Are people anxious? Dejected? Fearful? Feeling insecure?

Why won't they be, considering the barrage of rotten news assaulting them from every direction? Last week's killing spree in Karachi shocked and shamed Pakistan. Karachi has descended into anarchy and darkness.

Everybody knows who the killers are. It is time to tell the whole truth. They are not young people with little hope and no future and not much to lose. They are not interested in looting. They are state terrorists, members of armed party gangs, raised, financed and protected by leaders of political parties in power in Karachi and Islamabad. They are like the SA and SS of Nazi Germany who hauled their victims to places of torture and killed them with impunity. Nobody can touch them. They are above and beyond the reach of law. A government that does not protect its citizens loses its legitimacy. Can such a government have a valid claim on the loyalty of its citizens?

Karachi's situation is beyond the control of the civil armed forces. Why is the army not being called to aid the civil forces when it is neither unconstitutional nor illegal nor unprecedented?

In the old days the district magistrate of Karachi would have just picked up the phone and called the local commander for army support. In the 70s, under orders of Prime Minister Zulfikar Ali Bhutto, troops came out in support of civil forces to suppress language riots in Karachi. And it didn't take the Pak army more than 24 hours to control the situation. Why can't the troops be called out now? How many more innocent citizens have to be killed in cold blood before they are summoned? A government that does not protect its citizens has no right to rule. It is a criminal syndicate, an organised crime ring, corrupt from the bark to the core. The citizens of this country tremble at the thought that these are the people ruling them.

Today the country is as near to anarchy as society can approach without dissolution. This is the time of *la grande peur*, ("the great fear"): foreign aggression, soaring prices, laws without force and magistrates without courts. Across the country, people inveigh against the senseless proxy war in Fata, the

lack of accountability, the widespread corruption, the breakdown of law and order, and the all pervading sense of insecurity.

In his presidential address to the Constituent Assembly on August 11, 1947, Mr Jinnah said: “you will no doubt agree with me that the first duty of a government is to maintain law and order, so that the life, property and religious beliefs of its subjects are fully protected by the state”. The people who rule us today do not seem to agree. Maintenance of law and order and protection of the person, property and honour of citizens is not their top priority. They have a different agenda: loot and plunder which they are pursuing relentlessly.

These are critical days in Pakistan. Today say Pakistan and what comes to mind: anarchy from within, irresistible pressure from without, a country cracking up under outside pressure, a proxy war, pervasive fear and sabotage. The survival of the country, its hard won democracy, its independent judiciary, its liberties all are on the line. No one is safe, and perhaps no place on earth more closely resembles Hobbes’s description of a state of nature in which life is “nasty, brutish and short”.

Today we have got President Zardari and no protection of person, property or honour. No cash and little hope. Isn’t it a great tragedy that at a time when statesmanship of a very high order is the need of the hour, the fate of 180 million Pakistanis is in the hands of Mr. Zardari and hordes of weak-kneed triflers, mountebanks and charlatans begrimed with corruption? Were politics in our country burdened with such notions as shame, integrity, accountability, Rule of Law, and last but not least, inviolability and supremacy of the constitution, all of them including Musharraf, would be in jail today.

All the pillars of state, with the exception of the Supreme Court and the media, are dysfunctional. The president, the symbol of the unity of the federation, is mired in corruption, totally indifferent to public welfare and is interested only in protecting himself and his ill-gotten wealth. Parliament, the so-called embodiment of the will of the people, is fake like a Potemkin village. It is deaf and blind to the anguished cries rising from the slums of Karachi.

The country is in a mess. Pakistan presents an image of a country plagued by political, ethnic and sectarian conflicts and appears to be adrift, lacking confidence about its future. Never before has public confidence in the country’s future sunk so low. Today people are besieged in their own country. Their take-off is held back; their development is blocked.

Pakistan is rudderless and sliding into darkness. It is like a nightmare in which you foresee all the horrible things which are going to happen and can’t stretch

out your hand to prevent them. Such is the feeling conjured up by the corrupt, inept rulers of Pakistan as it enters a period of great uncertainty and sinks deeper and deeper into the quagmire.

The collapse of state machinery in Pakistan reminds one of the twilight of the Mughals. "The symptoms of social collapse", Percival Spear wrote, "are progressive declines in standards of conduct, public and private, and the superiority of centrifugal over centripetal forces. When the administrative machinery breaks down, law and order is the first casualty. And when respect for law and authority declines, the devil of force leaps into its place as the only possible substitute and in the struggle that ensues every standard of conduct and decency is progressively discarded. Men begin by being realists and end by being satanists. Sometimes synthesis takes place from within; sometimes it is imposed from without. If the original breakdown of authority is caused by a ferment of ideas, a genuine revolution like the French may result. If it is simply due to the decrepitude of authority, the solution is the substitution of a fresh authority, but whether that substitute is external or internal depends upon local circumstances".

This is happening in Pakistan today and it is scary. It appears as if we are on a phantom train that is fast gathering momentum and we cannot get off.

## **From dream to nightmare**

**Saturday, August 13, 2011**

I was born in slavery. On Aug 14, 1947, I was a free man, proud citizen of a free, independent, sovereign, democratic country which I could call my own. I was a 24-year-old subordinate judge, full of joie de vivre, idealism, hope and ambition. For me and for all those who belonged to my generation, Pakistan symbolised all our wishes and expectations. We all shared a seemingly unassailable certainty.

I witnessed Pakistan's early, heady days, and also its bleakest days. I saw how a nascent democratic republic, filled with such flowering promise, inexorably slid into darkness. On Aug 14, 1947, we thought we had found freedom, but it has turned out to be another kind of slavery. The loss of independence, the loss of sovereignty, has turned the country into a neo-colonial fiefdom. Of all the decolonised, newly-independent countries, Pakistan is perhaps the only country which has lost its independence, has been recolonised and turned into an American colony. Today it is not just a "rentier state", not just a client state. It is a slave state, ill-governed by a puppet government set up by Washington.

The independence of Pakistan is a myth. Every day American aircraft violate our airspace, and bomb our villages, killing innocent men, women and children with impunity. No questions asked. No protest. No remorse. Today Pakistan is dotted with American fortresses, which seriously compromises our internal sovereignty. American security personnel stationed on our soil move in and out of the country without any let or hindrance. Pakistan has become a launch pad for military operations against neighbouring Muslim countries. We have been drawn into somebody else's war without understanding its true dimension or ultimate objectives. Nuclear Pakistan has been turned into an American lackey currently engaged in a proxy war against its own people.

Many nations have attempted to develop democratic institutions, only to lose them when they took their liberties and political institutions for granted, and failed to comprehend the internal and external threats facing them. Pakistan is a classic example.

Pakistanis tremble at the thought that the individuals at the helm of affairs in Islamabad are the people ruling them. Amid the chilling anarchy, every one of them has been tried and found wanting.

Today Pakistan is very feverish and ill, a shadow of what it used to be. What is there to celebrate? The federation is united only by a rope of sand. In democratic countries society is held together by the warp and weft of institutions – parliament, judiciary, local government, civil service, a free press. In Pakistan these institutions are vestigial and embryonic. The fabric of society is a single ply. No wonder, the centrifugal forces are tearing the country apart.

Sixty-three years after independence, Pakistan is torn between its past and present and dangerously at war with itself. A general languor has seized the nation. “Democracy” in Pakistan is a mask behind which a pestilence flourishes unchallenged. It has a disjointed, dysfunctional, lopsided, hybrid, artificial, political system – a non-sovereign rubberstamp parliament, a weak, ineffective and corrupt prime minister, appointed by a powerful corrupt president.

Poverty has deepened. While life at the top gets cushier, millions of educated unemployed, the flower of our nation, and those at the bottom of the social ladder, are fleeing the country and desperately trying to escape to the false paradises of the Middle East and the West. The rich are getting richer, while the poor are getting more and more impoverished. The middle classes seem defeated. There was a time when they were the key to prosperity and national stability. Now they appear submissive in the face of a drastic drop in the quality of their life. All these years, the people organised their lives in terms of a better future for themselves and their children. But with the passage of time, the future has quite literally shrunk and the present has stretched out.

Pakistan is in a deep, deep hole. When will it follow the first rule of holes? When you are in a hole, stop digging. Unfortunately, the hole into which Pakistan has dug itself is really, really deep. The problem is that you feel you are in a hole and you want to get out, and you hear all those noises, and all that activity, but you feel very much alone, with no one out there really wanting to help you out. The country suffers from a malignant disease, but people think it is just a cold, so they continue taking small doses of medicine and wonder why it still hurts.

We live in a profoundly precarious country. The current course is unacceptable. We are finally getting united and beginning to channel this anxiety into action. If young people, in particular, take to the streets in defence of our core institutions – as young people have in other countries and as they have in the past in this country – things will change. The status quo will shift, the corrupt regime will crumble, and people will once again believe in the power of the powerless. The long nightmare will be over. It will be morning once again in Pakistan. This is the last chance, the last battle. If we do not stand out in the streets, the long polar night will descend on Pakistan.

This is one of those moments in history when all that is needed is for someone to push open the door. I have no doubt that the present corrupt political system would disappear in a violent upheaval since it carries within it the seed of its own destruction. At this moment, when the nation is standing on the escalator of corruption and anarchy, right-minded citizens cannot afford to stand frozen in disgust and dismay. We cannot merely look upon the political developments in sorrow and upon our politicians in anger.

Why is there no outpouring of revulsion and anger towards these corrupt rulers? Our people are good at being long-suffering and patient, but not very good at being angry. Now they are really getting very angry. Public disgust has risen to epic levels. Anger is wafting across the country. Indignation will soon lead to action. When hunger and anger come together, people, sooner or later, take to the streets and demonstrate Lenin's maxim that in such situations voting with citizen's feet is more effective than voting in elections. When the indignados begin occupying Jinnah Avenue, in front of parliament or on Constitution Avenue opposite the Supreme Court, the wheel of history will be set in motion. Things will begin to change.

The ossified political parties are out of sync with the spirit and essence of times and are fast becoming irrelevant. There is a vacuum awaiting a star who has both integrity and credibility. Destiny is beckoning Imran Khan, a whirlwind of a leader, harbinger of change, a man of unbounded vitality. More and more people are looking up to him to deliver shock therapy to the corrupt, encrusted, two-party duopoly running the show in Pakistan. Today, he alone has that passion burning within him that will unleash people power and set the nation alight. Hopefully, he will lance the poisoned carbuncle and clean the country of all the mess. Mark my words, he is destined to change the political landscape of Pakistan.

## **Though the heavens fall**

**Saturday, August 06, 2011**

A day before he retired as judge of the Supreme Court, Justice Iqbal, right hand man of Chief Justice Iftikhar Chaudhry, stunned all the supporters and defenders of the reborn Supreme Court. Speaking at the reception in his honour by the Punjab Bar Council, he said only the media was talking about the confrontation between the judiciary and the executive! The federal government, he said, has not defied any Supreme Court order! He, however, acknowledged that there was "an element of delay in implementing some court decisions." "The parliament," he said, "being the creator of the Constitution was supreme! But the Supreme Court is exercising its powers under the same Constitution."

Answering a question, he reiterated that it was wrong to say that the government is not implementing the Supreme Court verdicts!

In the NRO (National Reconciliation Ordinance) case, he said, the government had filed a review petition and the order could not be implemented until the petition was disposed of by the court! Is this the view of the court? In the Zafar Qureshi case, he said, the government had sought more time. Justice Iqbal said that the apex court did not want to issue any order that could harm the democratic dispensation in the country.

I respectfully disagree. It is an open secret that the apex court was trapped in a standoff with a corrupt executive determined to obstruct the course of justice. It is also abundantly clear even to the meanest intelligence that the executive was determined to defy the apex court.

In order to save the PPP-PML-Q coalition, the prime minister is desperately trying to prevent Zafar Qureshi, Additional Director General FIA, Chief Investigator of the NICL scam, from assisting the Supreme Court and doing his duty. On July 2, the court got Zafar Qureshi back in a position to investigate the notorious National Insurance Company (NICL) scam. Two days later, the prime minister suspended him for speaking to the media. He remains suspended to date and will soon retire. Same is the fate of Hussain Asghar, a brilliant, honest investigator, who had unearthed crucial evidence against Abdul Qadir Gilani, the prime minister's son in the notorious Haj corruption scam. Establishment Secretary Sohail Ahmad, a bold, courageous and honest DMG officer who



carried out the orders of the Supreme Court was first made OSD by the prime minister and then, to add insult to injury, posted as Secretary Narcotics Division in deference to the wishes of the Supreme Court!

The NRO was struck down by the Supreme Court in the second week of December 2009. It held that since the NRO stands declared as void ab initio, therefore, any benefit derived by any person in pursuance of Section 6 thereof is also declared never to have legally accrued to any such person and consequently, of no legal effect.

Is also held that communications addressed by Attorney General Malik Muhammad Qayyum to various foreign authorities/courts withdrawing the request earlier made by the government of Pakistan for mutual legal assistance; surrendering the status of civil party; abandoning the claims to the allegedly laundered money lying in foreign countries including Switzerland, are declared to be unauthorised or illegal communications and consequently of no legal effect.

It directed the federal government and other concerned authorities to take immediate action to seek revival of the said request, claims and status. Almost two years have passed since this directive was issued by the Supreme Court. To the best of my knowledge no stay order has been passed by the court in this case. No action has been taken to implement the court's order. Nobody knows when the case will come up for hearing in the Supreme Court. It is now abundantly clear that the Supreme Court is avoiding a confrontation with the executive.

It reminds me of the observations made by my friend Justice Samdani of the Lahore High Court. "Most of the confusion," Samdani said, "that had arisen in the country as a result of which the institution of democracy has suffered almost irreparably, stemmed from the fact that by and large the judiciary in Pakistan tried, in times of crisis, to avoid confrontation with the executive and went out of its way to take the path of least resistance. It upheld the de facto situation rather than declaring de jure situation.

Flash back to the 50s. Recounting this "said chapter in the history of Pakistan," Chief Justice Munir suggested that the judiciary faced a country itself on the brink of dissolution. "If the court had upheld the enforceable writs," he submitted, "I am sure that there would have been chaos in the country and a revolution would have been formally enacted possibly by bloodshed, a far more serious situation than that created by the invalidation of a whole legal system which the new assembly promised by the Governor-General in his Proclamation could have easily validated." From then onward, this notorious doctrine of necessity was used to justify military coups and usurpation of power.

Are people anxious? Dejected? Fearful? Why won't they be, considering the barrage of rotten news assaulting them from every direction? In the last week or so public morale has sustained a severe blow – consequence of the observations made by Justice Javed Iqbal and the judgement of the Supreme Court in the notorious Haj corruption case. Who will investigate this case now? All the honest, competent and courageous officers have been sorted out by the corrupt prime minister. The message sent to the civil servants is loud and clear. In the days to come, hardly any civil servant will carry out the orders of the Supreme Court without first obtaining the approval of the prime minister. Let there be no doubt about that. No wonder, a terrible shower of cold water has fallen on the civil servants of Pakistan.

One thing is clear: disillusion is fast setting in. People are getting impatient and are asking questions:

- Why isn't the Supreme Court taking action against the corrupt rulers who are defying its orders?
- Why is no action being taken against ministers guilty of contempt of court?
- What is preventing the court from summoning the prime minister who is openly defying it?
- Why is the court not exercising its awesome powers under Article 190 of the Constitution?
- Is there one law for the common people and another law for the corrupt few who rule this country?
- Why is no action being taken in the NRO case? When will it come up for hearing? And last but not least was Justice Javed Iqbal speaking only for himself? Or was he expressing the views of the court?
- What was the inner compulsion to express these views on such highly sensitive issues in a public forum?

One thing is clear. Democracy and rule of law are the basic features of our Constitution. It is the Constitution, not parliament, which is supreme in our country. The Supreme Court is the guardian of the Constitution. It not only makes the Supreme Court the final arbiter, it also gives it the responsibility of ensuring that every institution, including parliament, the executive and the presidency, function in accordance with the constitution and the law.

The judiciary has been expressly empowered to act as a check on the powers of the executive and legislature. The court has the power to strike down legislation enacted by parliament and even constitutional amendments. Similarly, if the president is transgressing his powers and running riot, it is the duty of the courts to intervene. The job of the Supreme Court is not to protect the system however

corrupt. Its job is to interpret and defend the Constitution. “Fiat justitia, ruat caelum,” (let justice be done though the heavens fall).

The heavens won't fall. That is for sure. It will be morning once again in Pakistan.

## **In defence of the SC**

**Wednesday, July 27, 2011**

Today we are engaged in a battle for the rule of law and corruption-free politics. With the restoration of Chief Justice Iftikhar Chaudhry and other deposed judges, we won the first round but the fight is not over yet. In fact, it has just begun. Criminals have found in 'democracy', the perfect Trojan horse for attaining and preserving power. It has provided a shell under which gangsters plunder and beggar their people. An independent judiciary does not suit them. No wonder, they have all ganged up against the Supreme Court. They will not give up easily. They have to be hounded out. But do we have to wait for Armageddon to hound them out.

In Pakistan, as in all federations, the Supreme Court plays a crucial role. It is the sole tribunal of the nation. The peace, prosperity, and very existence of the federation rest continually in the hands of the Supreme Court judges. Without them, the constitution would be a dead letter; it is to them that the executive appeals to resist the encroachment of parliament; the parliament to defend itself against the assaults of the executive; the federal government to make the provinces obey it; the provinces to rebuff the exaggerated pretensions of the federal government, public interest against private interest. They decide whether you and I shall live or die. Their power is immense. But they are all powerful only so long as the people and the government consent to obey the laws. They can do nothing if they scorn it.

It is our misfortune that from the country's first decade, our judges tried to match their constitutional ideals and legal language to the exigencies of current politics. The superior judiciary often functioned at the behest of authority and was used to further the interests of the rulers against the citizens. Their judgements often supported the government of the day. When the history of those benighted times will be written, it will be noted that the superior judiciary had failed the country in its hour of need.

"The president may slip", Tocqueville wrote in 1837, "without the state suffering, for his duties are limited. Congress may slip without the Union perishing, for above the Congress there is the electoral body which can change its spirit by changing its members. But if ever the Supreme Court came to be composed of corrupt or rash persons, the Confederation would be threatened by anarchy or civil war".

As good luck would have it, in the darkest hour in the history of our country, fate had found the man who had the character, the will and determination to speak truth to the military dictator. Chief Justice Iftikhar Chaudhry appeared on the scene like a *deus ex machina*. He broke with past tradition and changed the course of history. An era of deference by the Supreme Court to the executive has given way to judicial independence. After years of subservience to the executive, the Supreme Court is now back on its feet. It has raised its head and stands tall. Unfortunately, it is now abundantly clear that the executive is determined to defy the apex court.

Attempts are being made to subvert the people's will and overturn the judicial revolution. It is the last desperate gamble of a corrupt fascist autocracy. One thing is clear: disillusionment is fast setting in.

People are getting impatient and are asking questions: Why is the Supreme Court not taking action against the corrupt rulers who are defying its orders? Why is no action being taken against ministers guilty of contempt of court? What is preventing the court from summoning the prime minister who is openly defying it?

We were a nation founded on laws and rules. What Zardari has done is essentially to throw away the rule book and say that there are some people who are beyond the Constitution. No wonder, people are filled with anger and angst. Public disgust has risen to epic levels. If you believe in democracy and rule of law and sovereignty of the people, you would not be anything other than angry, living in the current day and age.

Today all the pillars of state, with the exception of the Supreme Court, are dysfunctional. Pakistan sits between hope and fear. Hope because "so long as there is a judiciary marked by rugged independence, the country and the citizen's civil liberties are safe even in the absence of cast iron guarantees in the constitution". Fear that in spite of a strong and independent judiciary, the present corrupt order will perpetuate itself because both the president and the prime minister are openly defying the Supreme Court with impunity.

There are times in the life of a people or a nation - when the political climate demands that we take sides. We believe that such times are upon us. A time bomb is ticking in Pakistan. The country is in deep trouble. Zardari is not in tune with the *zeitgeist* of Pakistan.

There comes a time when people get tired. We say today to these corrupt rulers that their interests and the interests of Pakistan do not coincide, that we are tired

of one-man rule, tired of being humiliated. We say to them: enough! enough! We can't take it anymore. We have no alternative but to stand up and fight.

An evil spirit hangs over Pakistan today. Why have the intellectuals adopted 'the genre of silence'? Why is there no outrage? Why is there no loud protest?

Chief Justice Iftikhar Chaudhry faces an uphill task. An awesome responsibility rests on his shoulders.

The survival of the federation as a democratic, progressive state now depends on his court. The judicial revolution triggered by him is irreversible. Let there be no doubt about it. Any attempt to undo it will be resisted. The people have planted an independent judiciary in the path of our turbulent democracy. No longer would the executive be a law unto itself.

Today there are many now willing to spill their blood to defend their hard-earned independent judiciary. Try to destroy the independence of judiciary, and the moment is not far off when this beautiful country will be plunged into civil war. The Supreme Court should be the barrier that protects the citizens from the winds of evil and tyranny. If we allow it to be stymied or sabotaged by corrupt rulers, who will be able to stand in the winds that follow?

If people want a change, they will have to vote with their bodies and keep voting in the streets – over and over again. A regime like this, which is defying the Supreme Court, can only be brought down or changed if enough people vote in the streets. This is what the regime fears most, because it either has to shoot its people or quit.

## **Towards Pakistan's July 14**

**Thursday, July 14, 2011**

The Supreme Court is in a standoff with a corrupt executive determined to obstruct the course of justice.

In order to save the coalition between the PPP and the PML-Q, the government is desperately trying to prevent Zafar Qureshi, additional director general of the FIA who is chief Investigator in the NICL scam case, from assisting the Supreme Court, and doing his duty.

Mr Jinnah foresaw all this, and much more, with uncanny prescience, and forewarned civil servants against the shenanigans and manipulations of corrupt politicians. In his informal talk with civil servants in Peshawar in April 1948, he forewarned civil servants against the shenanigans and manipulations of corrupt politicians. I reproduce this talk in some detail because it is germane to the current situation in the country.

“The reason why I wanted to meet you,” Mr. Jinnah said, “is that I wanted to say a few words to you, who are occupying very important positions in the administration of Pakistan in this province. The first thing that I want to tell you is this, that you should not be influenced by any political pressure, by any political party or individual politician. If you want to raise the prestige or greatness of Pakistan, you must not fall a victim to any pressure, but do your duty as servants to the people and the state, fearlessly and honestly.” He described service as “the backbone of the state.”

“Governments are formed, governments are defeated, prime ministers come and go, ministers come and go, but you stay on, and, therefore, there is a very great responsibility placed on your shoulders. You should have no hand in supporting this political party or that political party, this political leader or that political leader – that is not your business. Whichever government is formed according to the constitution and whoever happens to be the prime minister coming into power in the ordinary constitutional course, your duty is not only to serve that government loyally, faithfully, but at the same time fearlessly, maintaining your high reputation, your prestige, your honour and integrity of your service. If you will start with that determination you will make a great contribution to the building up of the Pakistan of our conception and our dream...”

He said: "While impressing this upon you on your side, I wish also to take the opportunity of impressing upon our leaders and politicians in the same way that if they ever try to interfere with you and bring political pressure to bear upon you, which leads to nothing but corruption, bribery and nepotism...if they try and interfere with you in this way, I say, they are doing nothing but disservice to Pakistan."

He asked each one of the officers to "understand his own sphere of duty and responsibility and act with others harmoniously and in complete cooperation." He added: "If you on your side start with that determination and enthusiasm..., and if you will stick to your determination, you will have done a great service to your nation."

Putting pressure and influence on service people "is a very common fault of politicians and those with influence in political parties. But I hope that you will now, from today, resolve and determine to act according to the humble advice that I am giving you. Maybe some of you may fall victim for not satisfying the whim of ministers. I hope this does not happen, but you may even be put to trouble, not because you are doing anything wrong but because you are doing right. Sacrifices have to be made and I appeal to you, to come forward and make the sacrifice and face the position of being put on the black list or being otherwise worry or troubled. If you will give me the opportunity of your sacrifices, some of you at least, believe me, we will find a remedy for that very soon. I tell you that you will not remain on the blacklist, if you discharge your duties and responsibilities, honestly, sincerely and loyally to the state. It is you who can give us the opportunity to create a powerful machinery which will give you a complete sense of security."

During the last 63 years, the country has lived in a state of permanent political crisis. Amid so much political instability, how could the republic continue to function and its ephemeral governments manage the business of a modern government? What held the country together more than anything else and enabled the republic to function tolerably well was the steady hand of the much maligned permanent establishment. It comprised various organs, run and staffed by permanent civil servants, which administered the law, the legislation passed by parliament and the acts and services of government. In its strange but in steady exertions one can see much of the secret of the solidity and continuity of life in Pakistan despite the toppling of regimes, dictatorships, the execution of an elected prime minister and the incessant changes in regimes and governments. In the 20th century a good deal of this bureaucracy seemed to be an anachronism, an apparatus musty from age. In reality it was one of the foundations of the republic.



Elected and un-elected rulers would come and go, some of them whiling away much of their time in the West at the taxpayer's expense. Parliaments might be suppressed; ministers might spend most of their time in their hometowns or abroad, the permanent bureaucracy, the officials high and low, the magistrates, the civil and criminal courts, the revenue officers, the lowly clerks, the postmen, the police officers manning the police stations, throughout the country, the engineers and doctors, saw to it that the machinery of government ground away. Taxes were collected, accounts kept, justice dispensed, and public services and civil order for the most part maintained. Despite all the turmoil over decades of the country's history, the bureaucracy, the permanent establishment, stood like a Rock of Gibraltar against the chaotic currents of whatever times. Honest to a degree unknown or unpractised among parliamentarians or cabinet ministers, industrious in a plodding sort of way and fairly efficient, possessed of a strong sense of public duty, of a remarkable esprit de corps, and of a pride in their professional code, but also woefully unprogressive and unresponsive to the demands of the evolving society, they were a pillar of the state. Like the French permanent establishment, ours saw to it that the business of government got done even at the most chaotic moments.

Unfortunately, the service we inherited on independence, known for its integrity, objectivity, and political neutrality was, over the years, thoroughly mutilated, demoralised, emasculated, politicised, corrupted, and changed beyond recognition, and is now a ghost of its former self. The most arduous search will not turn up many civil servants anywhere in the country today who do their duty as servants to the people and the state, fearlessly and honestly, who are not influenced by political pressure from any political party or individual politicians, and who do not have a stake in supporting one political party or another, or one political leader or another.

This species, I regret to say, is now largely extinct. Fortunately, some officers like Zafar Qureshi seem to have survived. Under tremendous government pressure Zafar Qureshi is doing his duty courageously and without fear or favour. People like him are our unsung heroes worthy of our commendation. Zafar Qureshi must not suffer for acting on the advice of Mr Jinnah.

It is now clear that President Zardari, corrupt beyond the pale, does not believe in the rule of law. He believes in the rule of man. Independent judiciary also does not suit him. Today the Supreme Court headed by Chief Justice Iftikhar Chaudhry is the only rampart standing between the republic and a thinly disguised civilian dictatorship. If Zardari has his way, he would turn all courts of law into government courts. The lesson of history is that when that happens, the dykes of law and justice break and revolution begins. That is what happened in France on July 14.

## What started out as a dream

Monday, July 04, 2011

Three men, more than any others, ended British colonial rule and helped bring the United States into being: George Washington, John Adams and Thomas Jefferson. The urge to separate from Great Britain was sweeping across the land "like a torrent." The Congress created a Committee of Five, as it soon was called, to prepare a Declaration of Independence. It adopted the Declaration, drafted by Jefferson, on the evening of July 4. With that, it transformed His Majesty's colonies into a sovereign, independent country.

When the National Convention met in Philadelphia with George Washington as its president, a deliberate decision was taken to create a weak and subordinate executive power, which could without danger be made elective. The nation possessed, in the words of Tocqueville, two of the main causes of internal peace; it was a new country, but it was inhabited by a people grown old in the exercise of freedom. Besides, America had no hostile neighbour to dread; and the American legislators profiting by these favourable circumstances created a weak presidency. All that has now changed.

Three persons, George Washington, John Adams and Thomas Jefferson – all conservative men and successful members of the colonial elite turned revolutionaries – set the world ablaze and changed the course of history. The future Sole Superpower was born. Independent America, it was hoped, would become an "asylum for mankind," and offer refuge to the world's oppressed. Like a shining beacon, America, it was hoped, would herald the "birth day of a new world," the beginning of an epoch in which humankind across the earth could "begin the world over again." Instead, the successors of George Washington, John Adams and Thomas Jefferson betrayed the American dream which has now turned sour.

"All men are created equal," the Declaration asserts, but Jefferson and the others were not thinking of those who owned no property or slaves – those who themselves owned property. They were not thinking of women either. It took American democracy – billed as the greatest democracy in the world – 86 years to abolish slavery, 144 years to enfranchise women and 189 years to assure the black people the vote!

Jefferson's attempt to incorporate a paragraph attacking slavery in the Declaration of Independence was struck out by Congress.

The philosopher Isaiah Berlin once remarked that the United States was “morally superior to Europe.”

No longer. America lost its city-on-the-hill idealism, its moral edge, long ago. From the beginning, America was more than a place. It represented the values and ideals of a humane civilisation. Two hundred years ago, America caught the imagination of the world because of the ideals which it stood for.

Today its example is tarnished with military adventurism and conflicts abroad. In the past, some envied America, some liked America, some hated America, but almost all respected her. And all knew that without the United States peace and freedom would not have survived.

Today the war on terror is used to topple weak regimes. Today Washington’s main message to the world seems to be: Take dictation. Today America does not chase out an occupier, but occupies; does not push back an intruder, but intrudes; does not repulse an invader, but invades. No wonder, very few respect America these days. The poor and the weak are scared to death and fear the world’s only superpower. In the eyes of millions of Muslims throughout the world, America is perceived today as the greatest threat to the world of Islam since the 13th century.

Today American troops are scattered around the world, from the plains of Northern Europe to the mountains of Afghanistan and the plains of Iraq, in search of a phantom enemy, bombing and killing innocent Afghan, Iraqi and Pakistani men, women and children. Though it rejects imperial pretensions, it is, for all its protestations, perceived in the world as peremptory, domineering and Imperial. Its actions in Afghanistan, Iraq, and now in Pakistan and Libya, are perceived as part of an open-ended empire-building plan with geo-strategic goals. Under this plan, the United States will acquire a permanent military presence in Afghanistan, Iraq and Pakistan for projecting its power in Central Asia, South Asia, the Middle East and the Persian Gulf.

The photo of the naked, black-hooded, wired, Iraqi prisoner standing on a box after having being told he would be electrocuted if he stepped or fell off may well become the lasting emblem of this cruel, unjust war, much as the photo of a naked, fleeing, napalmed little girl became the emblem of the Vietnam War.

The United States would no more be symbolised in the Statue of Liberty but with the naked black-hooded Iraqi man.

America, for all of its nascent idealism, began as an instance of brutal European imperialism, with the extermination of indigenous peoples and the enslavements

of Africans. The invasion of Iraq was, therefore, not an isolated episode. It was the culmination of a 110-year period during which Americans overthrew 14 governments for various ideological, political and economic reasons. The first foreign leader to be overthrown, in January 1893, was Queen Liliuokalani of Hawaii.

Muslims do not hate your freedoms. They have no quarrel with the American people or their way of life.

They hate American policies. They hate their blind support of Israel in its war of aggression against the people of Palestine. They hate the killing of innocent men, women and children in Afghanistan, Iraq and Pakistan. They hate American support of usurpers, hereditary monarchs, military dictators and corrupt and effete rulers in the Islamic world.

To the people of Pakistan, the American commitment to idealism, democracy and liberty worldwide sounds hollow and hypocritical. If America is the vanguard of democracy, why doesn't it start with Pakistan, ill-led and ill-governed by corrupt rulers supported by America? Why this doubletalk? Why this doublespeak? Today America speaks with a forked tongue. It cannot apply double standards. It is screaming hypocrisy. This does not endear America to the people of Pakistan.

As America, mired in cruel, unjust wars in Afghanistan, Iraq and Waziristan, approaches July 4, President Eisenhower's words in his 1961 farewell address once again demand attention and respect:

*"In the councils of government we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist. We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defence with our peaceful method and goals, so that security and liberty may prosper together."*

"What to the slave is the Fourth of July"? The black orator Frederick Douglass would ask in 1852 in an Independence Day oration and would answer that, "your high independence only reveals the immeasurable distance between us... You may rejoice. I must mourn."

On the fourth of July, like millions of my countrymen, I feel a deep antipathy towards the Yankees who have, with the help of our power-hungry generals, and

corrupt politicians, turned independent, sovereign Pakistan into a pseudo-republic and a rentier state, and allowed a venal dictatorship to take root.

## **At a fork in the road**

**Thursday, June 23, 2011**

There is a saying in China that “you should not only focus on your head when you have a headache because the real reason for your headache could be your foot”.

The debacle of May 2 was an incredible spectacle. What caused it? How, people wondered, had it come about? What were the terrible weaknesses and defects that had brought the country to such a low and pitiful state?

Not long ago, the Republic had been strong enough, its government, army, people, and institutions tough enough to explode its nuclear device in the teeth of opposition from the world’s sole surviving superpower, and to survive a succession of bloody and disastrous battles. In the ensuing years, something happened that sapped that strength so that in the span of a few hours, while the guardians of our frontiers slumbered away, the myth of Pakistan’s independence was shattered.

Pakistan, possessing one of the finest armies in the world, lay prostrate, leaving the country dazed and totally demoralised. How had we fallen to this state? What were the reasons for the lack of military response? What were the reasons for the political and moral collapse leading to the debacle?

Who is to blame for the May 2 debacle in Abbottabad? The army? But an army can rarely be stronger than the country it serves. How strong was Pakistan on the eve of the ordeal it was about to undergo? People had been watching with increasing apprehension the country go downhill, its strength gradually sapped by dissension and divisions, by an incomprehensible blindness in foreign, domestic and military policy, by the ineptness of its corrupt leaders, and by a feeling of growing confusion, hopelessness and cynicism among the people. No wonder, trust in institutions was at historic lows.

Today Pakistan is in a state of permanent crisis. Its shaky parliamentary system is bungling along rudderless, invoking deep concern among a bewildered citizenry with its political shenanigans. Its foreign policy is in ruins and the domestic quarrels are more venomous than ever. The government avoids tackling urgent problems, its ministers complacently certain that it would not be they but their successors who would have to shoulder the burden of resolving them. They find it easier to stand still, to stand pat, do as little as possible,

displease as few as possible, and mint as much money as possible in the shortest possible time.

Sixty-three years after independence, Pakistan has a dysfunctional, lop-sided, hybrid political system composed of incongruous elements, a president facing corruption charges at home and abroad, scared of his own people - a non-sovereign rubber-stamp parliament, and a weak, ineffective corrupt prime minister. The opposition languishes in torpid impotence. The regime has forfeited popular support and is seen as the playground for corrupt, self-serving politicians whose primary concern is to loot and plunder this country.

Parliament, the so-called embodiment of the will of the people, a sleepy, drowsy body, is fake, overpaid, and underemployed, and is becoming more and more odious and stupid. It is deaf and blind to the anguished cries rising from the slums of Pakistan. Quite a few members of this august body are fake degree-holders. They concealed the truth, misrepresented their qualifications and managed to enter the parliament through shameless, blatant lies and deceitful means. Instead of masquerading as chosen representatives of the people, they should all be tried and sent to prison.

Pakistan will be Pakistan again as soon as we have swept away this scum, and there will be no Pakistani who will not cry with joy when that happens.

The army has lately begun to realise that it has been led into an absurd war, a meaningless war, a war against its own people, a war which has cost it thousands of precious lives, a war that is not theirs and has been imposed on them.

The Pakistan Army is suffering from sclerosis in the high command, from a wave of pacifism in the country, and from an utter confusion in parliament and the government. Top generals are clinging to their posts long after superannuation. The Pakistan army, like the French army, on the eve of World War II, is being run by Methuselahs, beholden to a corrupt president owing everything to Washington.

Meanwhile, the people of Pakistan had been put to sleep with a pleasant dream based on a false sense of security. Now reality has hit them.

Today Pakistan, a thinly disguised civilian dictatorship, is a paradise for gangsters, swindlers, smugglers, tax evaders, fake degree-holders and so on and so forth - all the dregs of humanity. People openly talk about the corruption, indiscretions, follies and vulgarities of President Zardari, a parvenu, his corruption and avarice gargantuan, his ambition overweening, whom fate has so

rashly planted in the presidency. He will stop at nothing to keep his lock on power. It seems that in the death throes of his regime, he will take Pakistan with him.

It is hard to exaggerate the baleful impact of Zardari's rule: the oligarch and the mafia who have stolen every asset of any value, the inflation that has ruined the middle class and the poor, the corruption that has corroded all values and humiliated every decent citizen; and the insecurities that have filled everyone with fear and anxiety.

The present leadership is taking Pakistan to a perilous place. Terror is the order of the day. Pakistan is experiencing the warning tremors of a mega political and economic earthquake. We have President Zardari. And little hope and no cash. This is a particularly perilous time for Pakistan to have a president who is facing corruption charges at home and abroad and whose moral authority is in shreds. At a time when the country is at war, President Zardari, the Supreme Commander, spends almost his entire existence in the confines of a bunker - his macabre domicile which he seldom leaves these days. He is more concerned about protecting himself and his ill-gotten wealth rather than protecting the country or the people of Pakistan.

The Pakistan army is a people's army, in the sense that it belongs to the people of Pakistan who take a jealous and proprietary interest in it. It is not so much an arm of the executive branch of the government as it is an arm of the people of Pakistan. It is the only shield we have against foreign aggression. In the absence of authentic institutions, it is the only glue which is keeping the federation together. Don't weaken it. All efforts by enemies of Pakistan to alienate it from the people must be frustrated.

Individuals are expendable. Institutions are not.

By all means, reform the army and the ISI. But why only the army and why only the ISI? Why leave out corrupt political institutions and thoroughly corrupt holders of public office at the summit of power?

One thing is certain. For anything to change in this country, everything has to change. What this country needs today is a mighty but bloodless revolution.

Today the nation is clearly at a fork in the road. We can follow the line of least resistance, turn a blind eye to all that Zardari is doing, and continue to follow the road that has led us where we are today. Or we can choose the other road. We don't need pitchforks and guns. If parliament is unable or unwilling to respond



to public demands, people will, perforce, take the issue to the parliament of the streets, as they have done in the past.

## **Liberty once lost...**

**Thursday, June 16, 2011**

If you want to know what happens to a Third World country when it enters Uncle Sam's embrace, don't visit Africa or Latin America. Look at Pakistan. Like millions of my countrymen, I feel a deep antipathy toward the "Yankees" who, with the help of power-hungry generals and corrupt politicians, have turned independent, sovereign Pakistan into a "rentier state."

Pakistan has lost its independence and is now virtually an American satellite, with no honour, dignity and sense of self-respect. If you want to know what happens to an ill-led and ill-governed, poor country which attaches itself to an all-powerful country like the United States, Pakistan is the perfect example.

In his Farewell Address, George Washington cautioned that "an attachment of a small or weak nation towards a great and powerful nation dooms the former to be the satellite of the latter. The strong might have interests and objectives that could be of little real importance to the weak; but once the latter submitted to acting the role of a satellite, it would find it no easy task to avoid being used as a tool by the strong."

Washington highlighted the dangers inherent in an unequal relationship between a very strong nation and a weak nation and the folly of a weak nation succumbing to the belief that "real favours" would flow to it from the strong partner. It is folly in one nation, Washington observed, to look for disinterested favours from another...it must pay with a portion of its independence for what ever it may accept under that character. No truer words have been spoken on the subject.

The month of May was a disaster for Pakistan. May 2 will go down in our history as a day of infamy.

When challenged, all our intelligence agencies were caught napping. All security institutions charged with protecting the country were shamed. Defeat is one thing. Disgrace is another. The country has been humiliated. But it is business as usual in the corridors of power, as if nothing has happened.

In December 1982, Gen Ziaul Haq told Secretary of State George Shultz that the United States and Pakistan formed a union of unequals. Zia was right. The lesson

of history is that there can be no friendship between the strong and the weak. There can be no friendship between unequals, in private life or public life.

This is the bleakest era in the history of Pakistan since 1971. Today Pakistan is dotted with American fortresses, which seriously compromises our sovereignty. People don't feel safe in their own country because any citizen can be picked up by CIA agents in collusion with our government and smuggled out of the country.

Think about where we Pakistanis stand today. Zardari is presiding over a lousy economy and spending like an inebriated sailor. Terror is the order of the day. Pakistan is experiencing the tremors of an impending political and economic earthquake. This is a particularly perilous time for Pakistan to have a president who is facing corruption charges at home and abroad and whose moral authority is in shreds.

At a time when the country is at war, President Zardari, the Supreme Commander, spends almost his entire existence in the confines of a bunker - which he seldom leaves these days. He is more concerned about protecting himself and his wealth than protecting the country or the people of Pakistan. Today we have a deeper hole than ever to dig out of, thanks to our corrupt rulers, and have less political authority than ever to make the hard decisions needed to get out of the hole.

"The single greatest threat (to Pakistan)," Obama said recently, "comes from Al-Qaeda and their extremist allies." This is not true. All our major problems, including terrorism, stem from the American invasion and occupation of Afghanistan. It has turned our tribal area into a protracted ulcer, a quagmire - a place where Pakistan is spending blood and treasure to protect American interests.

"The United States has great respect for the Pakistani people," He said. Invading our territory, carrying out military operations on our soil, bombing our villages and killing innocent men, women and children, Mr. President, is no way of showing respect to our people.

Today the United States is conducting a virtual crusade against the Islamic world to steal its oil and capture its resources. Libya is under attack. Iran, Syria and Pakistan are next on the hit list. It is now abundantly clear that Pakistan, the only nuclear power in the Islamic world, will soon be denuclearised and emasculated.

The alienation between the people of Pakistan and the United States has never been more intense.

Relations between Pakistan and the United States have never been as stormy as they are today. The Obama administration does not seem to be aware of the tectonic shift that is well underway. One thing is clear: the United States has lost Pakistan forever.

In the aftermath of the May 2 debacle and the cold-blooded murder of the innocent, unarmed youth by paramilitary personnel in Karachi, there had been hopes that the shock could motivate the nation to find a way out of its morass. Sadly, the people appear to be increasingly disappointed with the response of their national leadership. As I look around, I witness a proliferation of excuses for inaction, a grotesque abdication of responsibility. The political paralysis that has gripped Pakistan for years continues.

As we approach the endgame, one thing is clear: In the death throes of the regime, Zardari will take Pakistan down with him. When power and leadership come to people incapable of handling either, the result can be disastrous. Isn't it a great tragedy that at a time when statesmanship of a very high order is the need of the hour, the fate of 180 million Pakistanis is in the hands of Zardari and hordes of weak-kneed triflers, mountebanks and charlatans begrimed with corruption? Were politics in our country burdened with such notions as shame, integrity, accountability, rule of law and, last but not least, inviolability and supremacy of the Constitution, all of them would be in jail today.

Today we stand alone. Such are the harsh realities inherent in an unequal relationship. It is time to wake up. At this time all those among us who love this country and see the perils of the future must draw together and take resolute measures to put Pakistan back on the democratic path. Failing that, a long polar night will descend on Pakistan.

If you want to know how a people can survive despite their corrupt government, well, take a deep look at Pakistan. Today it is a political and moral imperative for all Pakistanis to fight for our independence, sovereignty and liberties and be prepared to face all consequences. "Liberty once lost is perhaps lost forever," John Adams told his countrymen. It is, therefore, going to be an uphill task. Let there be no doubt about it.

## **Darkness at noon**

**Thursday, May 26, 2011**

Today our country is dysfunctional and sleepwalking toward disaster. A pall has descended on the nation and we are fast approaching Arthur Koestlers' Darkness at Noon. The tragedy is that each man feels what is wrong, and knows what is required to be done, but, with the exception of Imran, none has the will or the courage or the energy needed to speak up and say 'enough is enough'. No more drone attacks. No more American interference in our internal affairs.

The country has been humiliated but it is business as usual in the corridors of power. If we absolve these people who put us here, we cut off any chance to learn from the Abbottabad debacle. We need to place the blame where it belongs. Otherwise, they will do even more damage in the days to come.

Once we were the envy of the developing world. That is now the stuff of nostalgia. We seem exhausted, rudderless, disoriented. Our great dreams have given way to a corrosive apprehension, fear, uncertainty and frustration. Today most youngsters graduate directly from college into joblessness.

It is like a nightmare in which you foresee all the horrible things which are going to happen and can't stretch out your hand to prevent them. Such is the feeling conjured up by corrupt, inept rulers of Pakistan as it enters a period of great uncertainty and sinks deeper and deeper into the quagmire.

It is torture to live in an un-republican republic. Today Pakistan, a camouflaged, thinly disguised civilian dictatorship, is a land of opportunities, heaven for a handful and hell for countless millions of poor people.

The American footprint in our country is growing larger and heavier by the day. Nuclear Pakistan is now an American colony and is used as a doormat on which the US can wipe its bloodstained boots.

American military personnel criss-cross our border without let or hindrance. Their drones violate our air space with the agreement of our government and kill innocent men, women and children. No questions asked. No public outrage. No country-wide protest demonstrations. No self-respecting country, big or small, would tolerate such intrusions.

Were politics in our country burdened with such notions as shame, integrity, accountability, rule of law, and last but not least, inviolability and supremacy of the constitution, all of them including Musharraf, would be in jail today.

All the pillars of state, with the exception of the Supreme Court and the media, are dysfunctional. The president, the symbol of the unity of the federation, is mired in corruption, totally indifferent to public welfare and is interested only in protecting himself and his ill-gotten wealth. Parliament, the so-called embodiment of the will of the people, is fake like a Potemkin village. Its “stunning” performance fascinates only a few enlightened souls; whereas nine out of ten Pakistanis are totally indifferent and unaware of its existence. Quite a few members of this august body are fake degree-holders.

Today all the symptoms which one had ever met within history prior to great changes exist in Pakistan.

The country appears to be adrift. Nobody knows where it is headed without wise and mature leadership to guide or direct it. We are on the verge of a political collapse. The social contract between the government and the people has collapsed. The dialogue between the rulers and the ruled has broken down.

How will this crisis pan out? Either this is a cyclical crisis in the system and it will soon resolve itself, or it is a crisis of the system and we will soon witness the passage of one epoch to another. Whether the distortions, conflicts and resentments that exist in our society today are peacefully resolved or explode in revolution will be largely determined by two factors: The existence or absence of dynamic democratic institutions able to redress grievances through legislation and the ability of intellectuals to transform a local fire into a nation-wide conflagration and fan the flames of social discontent and transmute specific grievances into a wholesale rejection of the existing order. One thing is certain. For anything to change in this country, everything has to change.

Where are the voices of public outrage? Where is the leadership willing to stand up. We have sullied ourselves enough. Why are we so passively mute? How can we be so comatose as a nation when all our political institutions are crumbling before our own eyes?

Today the survival of the country, its hard-won democracy, its independent judiciary, its liberties all are on the line. No one is safe, and perhaps no place on earth more closely resembles Hobbes’s description of state of nature in which life is “nasty, brutish and short”.

At a time like this, people detest those who remain passive and love only those who fight. In this transcendent struggle, neutrality is not an option. You're either with the people or against them. It is as simple as that. One thing is clear. The day is not far off when status quo will shift, corrupt, inept rulers will get their just dessert, and people will once again believe in the "power of the powerless".

## **Time to cast off despair**

**Tuesday, May 03, 2011**

To no nation has fate been more malignant than to Pakistan. Born at midnight as a sovereign, independent, democratic country, today it is not just a “rentier state,” or a client state – but a slave state, ill-led, ill-governed by a corrupt, power-hungry junta imposed by Washington. No wonder, the Pakistan dream has morphed into a nightmare. Sad, but true. Our political and military leadership bear collective guilt for the loss of our sovereignty, the loss of our independence, and the dismal fate that hangs over our people.

Today, Pakistan is in total disarray. It looks frozen, with apathy below and paralysis above. Weighed down by abject poverty, income inequality, social injustice, crooked politicians, a carousel of corruption scandals involving the elite, and both the president and the prime minister corrupt to the core, Pakistan has nothing to smile about.

What with drone attacks and the cold-blooded murder of two innocent Pakistanis in Lahore by a CIA agent (now safely back home), we are indeed walking through the Valley of Humiliation. Underlying and aggravating the anxiety generated by such ills is a deep sense of impotence.

Pakistan has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military-installed dictators, political illiterates and carpet-baggers. Today, Pakistan is a nation of teahouse politicians, with no commitment to principles and no values. Here we have pocketbook liberals, pseudo-democrats and orthodox religious leaders concerned only with short-term profit and only too eager to do business with the military. A chasm separates them from most Pakistanis who see them as a predatory group, self-enriching and engaged in perpetual intrigue while the country collapses.

When societies fail to solve the urgent problems that confront them, a terrible package of ills – breakdown of law and order, famine, epidemic, and collapse of state institutions – begins to afflict them, turning stagnation into decline. And when these are joined by centrifugal forces of disruption, decline can turn into the collapse and demise of the state.

One thing is clear. Our corrupt leadership is trapped in a time warp sustained by US power and dollars.



Pakistan, an America colony in all but name, is at the beginning of the end and resembles a fading star. A terrible explosion could happen any moment. Food prices are rising; the value of the rupee is dropping sharply; dollars are disappearing from currency exchange shops. It is not a recession, not a depression – it is a mess.

Against the backdrop of such terrible events, the Hayatabad dharna led by Imran Khan against American drone attacks on our soil, offered a respite from the pervasive sense of gloom and doom. Otto Von Bismarck once famously said that political genius entailed hearing the hoof beat of history and then rising to catch the galloping horseman by the coattails. This is exactly what Khan did from April 23-24, to the surprise of friends and foes alike.

At a time when most of our leaders, scared of their own people, are either bunkered or in self-exile abroad, Khan, with an uncanny sense of what the national psyche needs, and against the advice of government and security agencies, announced a two-day open air dharna in Hayatabad against American drone attacks.

He mobilised the people and galvanised them into action. Thousands of people, young and old, men and women from all over KPK and Fata, including some from Punjab, rallied to his call. The atmosphere was celebratory. Exposed to the blazing sun for two days, he spent the night, unarmed and unprotected, on the Khyber road under a starry sky. What impressed the Pakhtuns most was his boundless courage and his readiness to take risks for a good cause. By this simple act of courage, he won the hearts and minds of Pakhtuns all over KPK and beyond.

In contrast with the aging profile of the current political leadership, Khan's supporters are all young.

There was something very moving about the young men and women I met at the dharna – so full of fire, curiosity and promise. Khan electrified them. He spoke with buoyancy and hope. His message: No drone attacks. Our aim: A sovereign, independent, corruption-free Pakistan. A wind of change has begun to buffet Pakistan. Change is in the air but little will change until this corrupt regime falls.

There is a generation of young students coming of age in Pakistan that is educated, hard working, innovative and imaginative. But too many of them are also disillusioned, betrayed, defeated and disengaged. We have a responsibility to help them believe in themselves and in their power to shape their future and the future of their country. Can Khan alone can inspire them? Does he have that passion burning within him that will unleash youth power and set the nation

alight? He will lance the poisoned carbuncle and clean the country of all the mess? That is for sure.

One thing is clear – youth anger is on the rise in Pakistan. Young people have slender prospects of finding jobs, or building a prosperous future for themselves. Unemployment rates even among the educated are as high as 80 percent in some areas. Few can travel. Emigration is a frustrating dream.

Things are made worse by cronyism and corruption. Frustration is brimming over.

In these harsh and difficult political times, the question of character is at the centre of our national concerns. Of late, in Pakistan, the question of leadership has come to the fore and the quality of governance has been held up to ridicule. What is the secret to long-term success? For a person, party or nation, the element essential to success is character. “Fame is a vapour, popularity an accident,” wrote

Horace Greeley, “riches take wing, and only character endures.”

If a president or a prime minister has credibility and integrity and if he is believable, nothing else matters. But, as is the case in our country today, if he has no credibility and no integrity and there is a gap between what he says and what he does, nothing else matters and he cannot govern.

We live in a profoundly precarious country. The current course of events is unacceptable. But the good news is, we are finally uniting and beginning to channel this anxiety into action. If young people in particular, take to the streets – as they have in other countries and as they have in the past in this country, in defence of our core institutions, things will change. The status quo will shift, corrupt rulers will crumble, and people will once again believe in the power of the powerless. The long nightmare will be over. It will be morning once again in Pakistan.

The political momentum now rests entirely with the people. They can smell the march of their own power. At last, people have found their life mission, something to fight for, something to die for: fighting dictatorship, military or civilian. They have also found the tool to achieve this mammoth task – street demonstrations and dharnas. It is time now for our men and women to assert themselves. Tomorrow will be too late.

## **The only hope**

**Tuesday, April 19, 2011**

When the history of our benighted times comes to be written, it will be noted that the Iftikhar Chaudhry Supreme Court was the one institution which served the nation most meritoriously in its hour of greatest need. If constitution and freedom under law survive in Pakistan, it will be only because of the sturdy independence of the Supreme Court. Whenever I visit the court and watch its proceedings, depression and frustration all drop away. I go back home full of pride in the court, with renewed confidence in the survival of our country and its fledgling democratic institutions.

In the words of Nani Palkhivala, so long as there is a judiciary marked by rugged independence, the citizen's liberties are safe even in the absence of cast-iron guarantees in the constitution. But once the judiciary becomes subservient to the executive and to the philosophy of the party for the time being in power, no enumeration of fundamental rights in the constitution can be of any avail to the citizen, because the courts of justice would then be replaced by government courts.

It is our good fortune that after years of subservience to the executive, the Supreme Court is now back on its feet. Chief Chaudhry has set in motion a mighty revolution that is irreversible, because it has the support of the people.

Isn't it ironic that today the people of Pakistan, especially the poor, the disadvantaged and the voiceless, expect justice not from parliament, not from the Presidency, not from the prime minister, but from the Supreme Court?

The few hours I spent recently in the Supreme Court in the NRO case made it abundantly clear that the executive is determined to defy the apex court. Attempts are being made to subvert the people's will and overturn the judicial revolution. It is the last desperate gamble of a hated and doomed, corrupt autocracy.

President Zardari, symbol of the unity of the Federation, has declared war on the Supreme Court. The government's refusal to comply with the Supreme Court directive is an alarm call of the most compelling kind. The fear of conspiracy against the Supreme Court hangs heavy in the air. Our history can show no

precedent for so foul a plot as that which this corrupt, dying regime has hatched against the Supreme Court.

Today Pakistan is ruled by a president who lacks credibility and integrity and is interested only in perpetuating himself and protecting his ill-gotten wealth at all costs and cost be damned. The country is breaking down. It has become ungovernable and would remain so as long as he remains in power. When he goes abroad or speaks to foreign heads of state, Pakistanis sit on the edge of their seats wondering how their ruler will embarrass them next.

Today we are engaged in a great battle for rule of law and corruption-free politics. With the demise of the NRO, we won the first round, but the fight is not over. In fact, it has just begun. No military dictator and no corrupt civilian ruler can afford an independent judiciary or an independent media. They cannot coexist. Today both are under attack in democratic Pakistan. The conspirators who have ganged up against the Supreme Court and independent media must not succeed.

Today nuclear Pakistan lies prostrate and has lost its independence. It cannot protect the lives and properties of its citizens. It cannot prevent the violation of its airspace. Why? Because it is now virtually an American satellite and is portrayed in American media as a "retriever dog." Pakistan has lost its honour, its dignity, and its sense of self-respect.

It is not enough to sit back and let history slowly evolve. To settle back into our cold-hearted acceptance of the status quo is not an option. The present leadership is taking Pakistan to a perilous place. The course they are on leads downhill. This is a delicate time, full of hope and trepidation in equal measure.

Today it is a political and moral imperative for all patriotic Pakistanis to fight for our core values, to destroy the roots of the evil that afflicts Pakistan.

Ultimately, the true guardians of the Constitution are the people of Pakistan. People power alone can protect the Supreme Court from the corrupt rulers. Our rulers know that the street is all they have to fear.

Confronting them has now become a patriotic duty. Today there is no other path for our country but the one which led to the restoration of Chief Justice Iftikhar Chaudhry and other deposed judges.

We have arrived at the greatest turning point in our history. One feels in the air the sense of the inevitable which comes from the wheel of destiny when it moves and of which people are often the unconscious instruments. It is time to turn the

page. The time to hesitate is through. This is a moment of great hope for Pakistan. Let us not let it turn into a national nightmare. In this transcendent struggle between the Supreme Court and kleptocracy, neutrality is not an option. You're either with the people or against them. There is no halfway house. As we approach the endgame, the nation has to decide between two conceptions of politics, two visions for our country, two value systems, two very different paths.

Every citizen must ask himself now: if our core institutions are to survive – if Pakistan is to survive – can we afford to let our corrupt rulers remain in power and destroy all our core institutions.

Today there is an intense anxiety on the part of ordinary people for decisive leadership. People are waiting for a stirring lead and a clarion call. It seems that while the nation craves for leadership, political leaders with one or two exceptions are equally determined not to lead them. Is it because they are all for the status quo and do not want to rock the boat? Isn't it a great tragedy that today the destiny of Pakistan is in the hands of leaders who refuse to draw the sword people offer them?

If people want a change, they will have to vote with their bodies and keep voting in the streets – over and over and over. A government like this, which is defying the Supreme Court, can only be brought down or changed if enough people vote in the streets. This is what the regime fears most. A bloodless revolution but a mighty revolution – that is what we need today.

The feeling of the nation must be quickened, the conscience of the nation must rouse; the proprieties of the nation must be startled, the hypocrisy of the corrupt rulers must be exposed.

## **Not America's finest hour**

**Tuesday, April 05, 2011**

Americans don't like to be reminded of Commodore Mathew Perry because he conjures up an Imperial image that makes them uncomfortable. Perry appeared in Tokyo Bay on July 8, 1853 with four ships mounting more than sixty guns and nearly 1000 men, carrying a list of demands and an ultimatum from President Fillmore. The Japanese were overwhelmed by Perry's firepower and yielded. Historians agree that President Fillmore sent Perry to Japan largely because America needed oil - though back then it was the oil from whales found off the Japanese coast!

The invasion of Iraq, the only secular, modern, progressive socialist state in the Islamic world, was, as everybody knows, premeditated, unprovoked, cruel, unjust and avaricious. Iraq was not involved in 9/11, posed no threat to the United States, was dead against Al Qaeda and had done no harm to the United States or its citizens. And yet, Iraq had to be invaded because it had oil. And what is worse, it is Muslim. If Saddam didn't have oil, he could torture his citizens to his heart's content. Other leaders in the Islamic world do it everyday with the blessings of the American President.

John Quincy Adams, then Secretary of State, summed up American policy in 1821. "Wherever the standard of freedom and independence has been or shall be unfurled there will her (America's) heart, her benedictions and her prayers be. But she goes not abroad, in search of monsters to destroy. She is the well-wisher to the freedom and independence of all. She is the champion and vindicator only of her own." Today, contrary to John Adam's advice, America stalks the world in search of monsters to destroy.

Today the US is once again in an expansionist mood, moved by the lure of oil in Libya and the notion of Manifest Destiny to export democracy and Western civilisation to the Islamic World. Anyone can see what is happening in Libya. It is nothing less than a war of colonial conquest fought for oil, dressed up as a crusade for western life and liberty. Nobody believes that what compelled President Obama to act so quickly was the immediate prospect of mass atrocities against the people in Libya. Today the dominant view in the Islamic world is that Americans are attacking Libya not to protect civilians, not to spread democracy but to steal Libya's oil.

Once we thought this one-of-a-kind American president could do great things. In his inaugural address he focused more on 'soft power' and told the Muslim world that he wants "a new way forward, based on mutual interest and mutual respect". All that seems to have changed. When millions of young students gathered in Tahrir Square in Cairo, President Obama jettisoned America's ideals and placed himself on the wrong side of history. He decided to side with the Pharaoh right to the very end. Many questions come to mind: Why did Obama react so slowly to the democratic revolution in Egypt? Why did he maintain support for Mubarak so long? Why did he move more cautiously in the present crisis than did President Reagan in moving away from Ferdinand Marcos in the Philippines? Why was President Obama so slow to embrace the young protestors? Why President Obama didn't come out more strongly and more quickly on the side of the protestors? And last but not least, why is Obama not supporting the democratic revolutions in Bahrain and Yemen and supporting despotic rulers in these countries? Why doesn't he stop the use of brute force against unarmed, innocent protestors in these two counties? Why has he turned a blind eye to the monsters in Bahrain and Yemen and the atrocities they are perpetrating?

Why is he on the wrong side of history in Bahrain and Yemen?

Two hundred years ago, America caught the imagination of the world because of the ideals which it stood for. For decades the United States has played a unique role in the world, because it was viewed as a society that was generally committed to certain ideals, which Americans were prepared to practise at home and defend abroad. Today Americans seem to have forgotten America as a source of optimism, as a beacon of liberty. Today America's example is tarnished with military adventurism and conflicts abroad. For the first time America's commitment to idealism, democracy and liberty, worldwide, sounds hollow, hypocritical and makes people laugh. Today the United States is self-centred, preoccupied only with itself, and subordinating everything else in the world to an exaggerated sense of its insecurity.

America does not care for democracy in the Islamic world and has no intentions of bringing about radical, political, social and economic changes in the region. The American diplomat (late) Richard Holbrooke pondered this problem on the eve of the September 1996 election in Bosnia. "Suppose the election was declared free and fair and those elected are racists, fascists, separatists or religious zealots.

That is the dilemma". Indeed it is, not just in Bosnia, Algeria, Turkey or Pakistan but in the entire Islamic world. No wonder, Obama's speech in Cairo about bringing democracy and freedom to the Islamic world, has fallen on deaf ears and left people cold. It is now abundantly clear that no country in the Islamic world will ever be allowed by the United State to be truly democratic for one

simple reason: were free, fair and impartial elections, the essence of democracy, the inescapable sine qua non, held tomorrow in the Islamic world, the resulting regimes would almost certainly be anti-American, anti-Israel, and pro-Islamic. No wonder, America didn't accept the result of a free, fair and impartial election in Algeria.

Though it rejects imperial pretensions, America is perceived in the world as peremptory, domineering and imperial. The war on terror is used to topple weak regimes. History will hold America and its president responsible for undoing one of its noblest dreams. What many friends of America find hard to understand is how America, upholder of the Rights of Man and the beacon of liberty, could be transformed so quickly into an Imperial power. The world sees America as an aggressor acting in support of the oppressors.

Today the Islamic world is a prime target for America, the latest imperial power, virtuoso in the art of smashing Islamic countries and establishing its control over the remains. It has all the requirements to make it the perfect American target. It has enormous natural resources; it has a rotten socio-political system in an advanced stage of decay and decomposition; its rulers are corrupt, despotic, authoritarian, unresponsive to the prime needs of the people, accountable to none; it lacks the will to defend itself because what its rulers represent is not worth defending; it is highly vulnerable to attacks; a coup de grâce, or a coup de main, a powerful kick and the entire rotten structure will come crashing down. At relatively little risk and cost, America can gain strategic advantages in the Islamic world and place itself increasingly in position to control the world's resources and life lines. The aim is to gain control of the energy treasure house of the Middle East and the Gulf.

Democracy, freedom of choice, rule of law and human rights, are highly desirable American goals but their priority has obviously diminished since September 11. Many in the Islamic World are wondering: why is Obama pushing democracy only in Afghanistan, Iraq and Libya? Why is he advocating democracy only in authoritarian regimes that oppose America and not in authoritarian regimes that are pro-America? Today American policy towards the Islamic world, as described by Thomas Friedman, renowned American columnist, is 'to punish enemies with the threat of democracy and reward its friends with silence on democratisation'.



## **Unrecognisable Pakistan**

**Wednesday, March 23, 2011**

Every year, we commemorate March 23 in remembrance of “The Pakistan Resolution” passed in the historic city of Lahore. The Idea of Pakistan was about to be born.

On that day, the Muslim League led by Mr Jinnah declared its support for the Idea of Pakistan. That is why generations of Pakistanis will always remember March 23 with profound reverence and respect.

Seven years later, thanks to the iron will and determination of Mr Jinnah, we became proud citizens of a sovereign, independent country—a country we could live for and die for. As he left the Constitutional Convention of 1787, Benjamin Franklin was asked by an admirer, “Dr. Franklin what have you given us”.

Franklin turned to the questioner and replied, “A Republic, if you can keep it.”

Not too long ago, we possessed a great country. But where giants walked, midgets pose now. The talk today is of a vanished dignity, of a nation diminished in ways not previously imaginable. It is almost as if no one wants to acknowledge a sad end to what once was a beautiful dream. Our rulers squandered Jinnah’s legacy and turned his dream into a nightmare.

Many nations in the past have attempted to develop democratic institutions, only to lose them when they took their liberties and political institutions for granted, and failed to comprehend foreign threats to their sovereignty and independent. Pakistan is a classic example. Born at midnight as a sovereign, independent, democratic country, today it is neither sovereign, nor independent, nor democratic. Today it is not just a “rentier state,” not just a client state. It is a slave state, ill-led, ill-governed by a corrupt, power-hungry junta running a puppet government set up by Washington.

Sixty-three years after independence, are we really free? Are the people masters in their own house?

From the kind of country we have today, Pakistan has lost its manhood and is a ghost of its former self. If Pakistan were to look into a mirror now, it wouldn’t recognise itself. The contrast between Pakistan in 1947 – idealistic, democratic, progressive, optimistic, and Pakistan today – leaderless, rudderless, violent, besieged, corrupt, uncertain about its future – could not be sharper or more

disheartening. If you want to know how a people can survive despite their corrupt government, or corrupt leaders, well, visit Pakistan.

The independence of Pakistan is a myth. By succumbing to American pressure, we managed to secure a temporary reprieve. But at what price? Twenty-four hours after CIA spy Raymond Davis – charged with killing two Pakistani citizens in broad daylight in Lahore – was allowed to leave the country with the full support of the government, American drones attacked Data Khel in North Waziristan, killing 25 innocent Pakistanis – men, women and children. No protest. No regrets. No word of sympathy. No remorse.

Today Pakistan is dotted with American fortresses, which seriously compromises our internal and external sovereignty. American security personnel stationed on our soil, like Raymond Davis, move in and out of the country without any let or hindrance. Pakistan has become a launching pad for military operations against neighbouring Muslim countries. We have been drawn into someone else's war without understanding its true dimension or ultimate objectives. Nuclear Pakistan has been turned into an American lackey, currently engaged in a proxy war against its own people.

With all her shortcomings, Benazir Bhutto had undoubted leadership qualities – charisma, courage, political acumen and articulation. After her tragic assassination, Mrs Zardari's sudden ascension to the Presidency caused panic among the people. Zardari reminds one of the American black leader J Raymond Jones. President Truman once asked a New York news paper reporter whether Mr Jones could be trusted. The reporter replied: "Well, Mr President, I can tell you one thing. If Ray Jones stole the Brooklyn Bridge, no would ever find it."

The present leadership is taking Pakistan to a perilous place. The course they are on leads downhill.

How meaningful is our twisted, stunted, pallid democracy, replete with parliament, cabinet, political parties, when crucial decisions are made elsewhere. How can authentic democracy take roots in this country when it has been stripped of all its core values – sovereignty of the people, Inviolability of the Constitution, rule of law, supremacy of civilian rule, independence of the Election Commission, sanctity of the ballot box, and a neutral, honest civil service? How can democracy flourish in the absence of ruthless accountability of corrupt rulers, past and present?

One of the lessons of history is that when people lose faith in their rulers when they lose faith in the sanctity of the ballot box; when elections are rigged and votes are purchased; when the gap between the rulers and the ruled widens;

when there are no ways for people to express political preferences from time to time in an atmosphere free from fear, coercion, or intimidation; when known corrupt people, tax evaders and smugglers are foisted upon a poor, illiterate electorate unable to make an informed political choice, and sworn in as ministers; when elections throw up not the best, not the noblest, not the fittest, not the most deserving, but the scum of the community, and a legion of scoundrels; when hunger and anger come together, people, sooner or later, come out on to the streets and demonstrate Lenin's maxim that in such situations voting with citizen's feet is more effective than voting in elections.

Too long have we been passive spectators of events. Today our fate is in our hands, but soon it may pass beyond control. A shout in the mountains has been known to start an avalanche. We must call things by their names and shout louder. Let Pakistan be Pakistan again. Let it be the dream it used to be - a dream that is almost dead today. From "those who live like leeches on the people's lives" - who have robbed us of everything, our past, our present, our future and all our beautiful dreams-we must take back our land again.

Pakistan shares many of Egypt's problems: rampant corruption, social injustice, a growing wealth gap, inflation, total subservience to United States of America. One reason for the rebellions in Egypt and elsewhere was the in-your-face corruption that everyone knew about. We in Pakistan inhale corruption in the very air we breathe. How can any of our hopes emerge from this quagmire?

This is one of those moments in history when all that is needed is for someone to push open the door.

The present corrupt political system would, I have no doubt, disappear in a violent upheaval since it carries within it the seed of its own destruction. At this moment, when the nation is standing on the escalator of corruption and anarchy, right-minded citizens cannot afford to stand frozen in disgust and dismay. We cannot merely look upon the political developments in sorrow and upon our politicians in anger.

## **Ripe for revolution**

**Wednesday, March 09, 2011**

For the last 50 years or so, the West has treated the Middle East as if it were just a collection of gas stations manned by its stooges. It was never interested in the Arab people or how they were governed.

The US wanted the region to be a land open before it, without obstacles and without even the slightest wrinkle in the way. The Arab world was insulated from history. Well, history is back. The Arab world was asleep not dead. It has suddenly awoken and is living through a very exciting, effervescent moment.

Today the US finds itself "trapped in a region which it cannot fix and cannot abandon", where America is not liked, not feared, and not respected. It took President Obama four days to condemn the slaughter of hundreds of freedom fighters by Colonel Qaddafi. Even then, he spoke only vaguely about holding Libyan officials accountable for their crimes. Why did he fail to mention Qaddafi, the arch-criminal, the butcher of Tripoli, the man who will stop at nothing to hang on to power? Obama knows very well that sanctions are ineffective and will not prevent Qaddafi from slaughtering his people. There is not a lot of time. Why, then, is he temporising? Why is he equivocating on Libyan freedom from autocracy? Libyans have shown extra ordinary courage but it is unrealistic to expect them to bring the dictator down all by themselves.

Britain and France joined United States in the aftermath of the 1991 Gulf War in establishing no-fly zones in large parts of northern and southern Iraq to protect the Kurds from the "savagery of Saddam Hussein".

There was no UN mandate for such zones. What prevents them from imposing no-fly zones in Libya?

Drone attacks kill men, women and children in Waziristan.

Let it not be forgotten that, not long ago, United States invaded Iraq, a sovereign, independent Muslim country, to topple a dictator and to impose democracy down the barrel of a gun. In the process it killed hundreds of thousands of people. Why is it reluctant to use force in Libya in support of a just cause?

The ambivalent, almost nervous, carefully calculated US reaction to the uprising in Libya reminds one of the broadcast from Moscow, calling for a general rising

in Warsaw; the Polish rising in Warsaw in July 1944; the distressed Polish message for help; Stalin's grim reply withholding aid; the tragic end of the rising and the Martyrdom of Warsaw. Out of the 40,000 men and women of the Polish army about 15,000 were massacred by the German army. Out of a population of a million, nearly 200,000 had been stricken.

Is Obama doing to the Libyan freedom fighters what Stalin did to the Poles in Warsaw?

History reveals that uprisings go viral and ricochet from nation to nation. Tunisia has lit the match and set off an Islamic prairie fire that has set the whole region ablaze. Very soon, it will engulf Pakistan. That is almost a mathematical certainty.

So here we are, at last on the threshold of great events. The day is not far off when words will give way to deeds. The world of corrupt presidents and prime ministers, the world of usurpers and despots, the world of hereditary monarchs and kings, will be blasted by the wind from the Maghrib.

Think about where we in Pakistan stand today? Terror is the order of the day. Pakistan is experiencing the warning tremors of a mega political and economic earthquake. These are days without shame or glory in Pakistan. We have President Zardari. And little hope and no cash. We have a president who is facing corruption charges at home and abroad and whose moral authority is in shreds. At a time when the country is at war, President Zardari, the Supreme Commander, spends almost his entire existence in the confines of a bunker - which he seldom leaves these days.

Our country is in grave danger. Pakistan looks exhausted, ossified and ideologically bankrupt, surviving merely to perpetuate its corrupt rulers. Never has the divide between ruler and ruled seemed so yawning, and perhaps never has it been so dangerous. The president and his prime minister are servile, obsequious, lackeys of United States, insecure, highly dependent on American support, too willing to sacrifice national interest in order to secure American help for themselves and remain in power.

It is hard to exaggerate the baleful impact of the Zardari-Gilani rule: the oligarch and the mafia who have stolen every asset of any value, the inflation that has ruined the middle class and the poor, the corruption that has corroded all values and humiliated every decent citizen; and the insecurities that have filled everyone with fear and anxiety. What will become of poor Pakistan?

We have a disjointed, dysfunctional and corrupt political system - a non-sovereign rubber stamp parliament, a weak, ineffective and corrupt prime

minister, who changes his public statements as often as he changes his designer suits. Not surprisingly, Pakistan is rudderless and sliding into darkness.

Today Pakistan has a rotten socio-political system in an advanced stage of decay and decomposition; its rulers are unresponsive to the prime needs of the people; it lacks the will to defend itself because what its rulers represent is not worth defending; it is highly vulnerable to attack.

Pakistan shares many of the conditions that triggered the revolutions in Egypt, Tunisia and Libya. The Tunisian and Egyptians revolutions have shown how people can bring down corrupt rulers without firing a shot. It was a sea of peaceful humanity that washed away Hosni Mubarak and Zein ul Abedin of Tunisia and is threatening to topple Gaddafi.

Every once in a while I feel despair over the plight of the country but nobody wants to hear about it or do anything to avert it. We stand on a volcano. We feel it tremble, we hear it roar, how and when and where it will burst, and who will be destroyed by its eruption, it is beyond the ken of mortals to discern.

## Trailblazing weeks

**Monday, February 28, 2011**

People power has triumphed once again, and hounded dictators in Tunisia and Egypt, in this case another military one. It was people power alone which toppled Zine El Abedine Ben Ali and Hosni Mubarak, both American protégés. Now Muammar Qaddafi appears to be on the way out.

Flashback to June 2005, when Condoleezza Rice, the secretary of state of President George W Bush, swept through the Middle East to urge democratic change in the region and improve America's image. In her keynote address at the American University in Cairo, she told 600 scholars and students: "We are supporting the democratic aspirations of all people." Told that since the United States supported dictatorships for 60 years in the Middle East, what is the guarantee it will now support democracy? "For 60 years the United States pursued stability at the expense of democracy in the Middle East—and we achieved neither," Secretary Rice responded. "Now we are taking a different course."

She declared that "millions of people are demanding freedom for themselves and democracies for their countries. To these courageous men and women, I say today: All free nations will stand with you as you secure the blessing of your own liberty." She went on to say: "There was a time, not long ago, after all, when liberty was threatened by slavery. There was a time, even more recently, when liberty was threatened by colonialism... Today liberty is threatened by undemocratic governments. Some believe this is a permanent fact of life. But there are others who know better. Throughout the Middle East, the fear of free choices can no longer justify the denial of liberties. It is time to abandon the excuses that are made to avoid the hard work of democracy."

"A hopeful future is within the reach of every citizen (in the Islamic world). The choice is yours to make. But you are not alone. All free nations are your allies." A more powerful case for democracy in the Islamic world could not have been made out. But her words sounded so hollow, so hypocritical, so devoid of meaning. No wonder her address left people cold.

Flash forward to January 2011. When the protests began in Egypt, Secretary of State Hillary Clinton described Mubarak's government as one "looking for ways to respond to the legitimate needs and interests of the Egyptian people." Then

came special envoy Frank Wisner who called for Mubarak to stay in power, saying: "President Mubarak's continued leadership is critical."

Why does US policy seem to be that democracy is good for Americans, Israelis, Afghans and Iraqis, yet dangerous for Egyptians and other people in the Middle East/North Africa region? For too many people in the Islamic world, especially Egyptians, it is becoming quite clear that the United States is conspiring with the regime in Cairo in its efforts to push only cosmetic reforms, while keeping the basic structure in power.

When millions of young students gathered in Tahrir Square in Cairo, President Obama jettisoned America's ideals and placed himself on the wrong side of history. He decided to side with the Pharaoh right to the end.

Many questions come to mind:

- Why did Obama react so slowly to the democratic revolution in Egypt?
- Why did he maintain support for Mubarak so long?
- Why did he move more cautiously in the present crisis than did President Reagan, who moved away from Ferdinand Marcos in the Philippines?
- Why was President Obama so slow to embrace the young protestors in Cairo?
- Why President Obama didn't come out more strongly on their side?

President Obama never found the voice to clearly endorse the Tahrir Square Revolution until it was all over. The ambivalent, almost nervous, carefully calculated US reaction to the Egyptian revolution underscored the hypocrisy of the United States in often backing dictators over democracy. Almost till the end, the Obama administration seemed more confident with the regime than with people power.

America was on the wrong side of history when youthful Muslims and Christians were at the barricades fighting for liberty, rule of law, human dignity and end to dictatorship. It is now abundantly clear that, despite the democratic rhetoric, America had all along been decidedly on the side of Mubarak.

People all over the world watched with horror how, with American acquiescence, Mubarak attacked pro-democracy young protestors with "made in USA" teargas shells. President Obama provided Mubarak time to recover from the shock, and



to mobilise and arm his thugs and gangsters whom he used with deadly effect in Tahrir Square against peaceful, unarmed protestors.

Once we thought this one-of-a-kind American president would do great things. In his inaugural address President Obama focused more on “soft power” and told the Muslim world that he wants “a new way forward, based on mutual interest and mutual respect.” All that seems to have changed. Obama appears to have forgotten America as an idea, as a source of optimism and as a beacon of liberty. For more than two centuries, America was the cradle of liberty, the destination point for those who seek to live in freedom, and the source of inspiration for those who want to make their own countries as free as America itself. No longer. These days nobody would think of appealing to the United States for support in the upholding of liberty – maybe to Canada, to Norway or to Sweden, but not to the United States.

“For a nation that honours democracy and freedom the United States has a nasty habit of embracing foreign dictators when they seem to serve US interests. It is one of the least appealing traits of US foreign policy,” The New York Times wrote in an editorial back in 2002, under the title “Dancing with dictators.”

So, what are the lessons we in Pakistan should take away from Tahrir Square?

- The days of corrupt rulers who loot and plunder the resources of their countries are over.
- The days of American lackeys, puppets and running dogs who sacrifice national interest to please their handlers are over.
- The days of fraudulent democracy Potemkin political institutions, rubberstamp parliaments and corrupt, spineless presidents and prime ministers are over.

The political momentum now rests entirely with the people. They can smell the march of their own power. At last, people have found their life mission, something to fight for, something to die for: fight dictatorship, military or civilian. They have also found the tool to achieve this mammoth task: street demonstrations. I have lived to see millions of my people indignant and resolute in the streets of Islamabad, demanding with an irresistible voice rule of law, independence of judiciary, ruthless accountability, and end to high-level corruption. It remains to be seen if that voice of liberty would prove to be durable. It is now or never. One thing is clear. Change is going to come sooner than you expect – if we work for it, if we fight for it, if we believe in it.

There is no other path for our country but the one Egyptians and Tunisians took, and now the Libyans are treading. Let us follow their example.

## **Revolution's domino effect**

**Saturday, February 05, 2011**

There seems to be a curious pattern in the Islamic world. For a long time, things continue unchanged until, suddenly, the tectonic plate beneath the surface shifts, and the established order crumbles. A seemingly small event sets off a series of radical changes that alter the very face of the region.

Take the revolution in Tunisia for example. It was triggered by a peddler who burned himself to death, and fast became one of the most decisive moments in recent Arab history. A month long peaceful protest led by middle class Tunisians toppled the country's dictator and set a precedent for the rest of the Arab world. A North African country of only 10 million set off democracy movements in a region characterized by long-established dictatorships.

In the Arab world, only two other events have had comparable impact: the creation of the state of Israel, and the collapse of the Ottoman Empire after five centuries. The latter, in turn, triggered the creation of modern Arab states.

The Islamic world contains the world's greatest concentration of corrupt rulers, unelected monarchs, and military dictators, all supported by America. None would survive without American help. Not surprisingly, American support for tyrants in the Muslim world has turned millions of Muslim against the United States. In the past, there was some rationale for accepting authoritarian regimes in the Muslim world as long as they were anti-communist. Now that the Soviet Union is a thing of the past, what is the justification for supporting unelected, despotic, corrupt regimes?

A long-awaited revolution is now blazing its way across the Middle East. The entire political system dominated by authoritarian rulers, fabricated by Kitchener, Lloyd George and Churchill in 1922, is in imminent danger of total collapse. Egypt is in the throes of a mighty revolution. Jordan is in turmoil. So is Algeria. And the wind is blowing toward the East.

Which leads us to question: where do we stand today? The independence of Pakistan is nothing more than a myth. Sixty-three years after independence, Pakistan has a dysfunctional political system, a president facing corruption charges and terrified of his own people, a non-sovereign parliament, and an ineffective, corrupt prime minister. The opposition languishes in torpid

impotence. Ostensibly, we have all the trappings of democracy – national and provincial assemblies, political parties, elected government but they play no real role in determining major policy decisions and are, for all practical purposes, quite irrelevant.

The Pakistan Mr. Jinnah founded no longer exists. It disappeared the day corrupt rulers hijacked Pakistan. Thanks to eight years of General Musharraf's illegitimate rule, followed by over two years of Zardari's corrupt administration, Pakistan is now a ghost of its former self.

Today, people openly talk about the corruption, indiscretions, folly and vulgarity of the man whom fate has planted in the presidency. The good news is, President Zardari's star is already burning out. But he will stop at nothing to keep power. It seems that in the death throes of his regime, he will take Pakistan with him.

At present, all the conditions that precede major changes in history, exist in Pakistan. The country is fast approaching revolution. We are on the verge of a total economic and political collapse. The social contract between the government and the people has collapsed. The dialogue between the rulers and the ruled has broken down.

It is noteworthy, that of all the decolonised, newly independent countries, Pakistan is perhaps the only country that has lost its independence after gaining it. It attained freedom from British rule, only to turn into an American colony. Today it is not just a "rentier state," or a client state. It is a slave state, misgoverned by a power-hungry junta and a puppet government that is controlled by Washington.

After decades of corrupt, civilian and military dictatorships the state is so flawed that it needs to be dismantled and rebuilt, rather than fixed. It is not enough to sit back and let history take its course. The present corrupt leadership is taking Pakistan to a perilous place. This is a delicate time, full of hope and trepidation in equal measure. Today, there exists a political and moral imperative for all patriotic Pakistanis to fight for our core values, to resist foreign intervention in our internal affairs and to destroy the roots of corruption at the top.

The time has come when the ultimate sovereign – the people of Pakistan – must assert themselves. We have no alternative but to stand up and fight. If we succeed, and God willing we shall, we may be able to create a new corruption-free Pakistan. We may regain control of our collective destiny, and earn back the respect of the democratic world. We may become a proud and free country once again.

If people want a fundamental change, they must keep voting where it counts most - in the streets - over and over again. A corrupt regime like the one in charge of Pakistan today, can only be brought down if enough people vote in the streets. In the event that people take to the streets in large numbers, the regime will have to choose between shooting its people or surrendering power. And this, is what the regime fears most. There is no other path for our country, but the one the Egyptians are treading today.

There is no other solution.

## **Too late to head for shore?**

**Friday, January 21, 2011**

These days, like most Pakistanis, I feel very troubled in the head and heart. It is as if one is boiling inside all the time with some kind of helpless indignation, enraged to see such a good country going to hell with such cruelty and waste. Not every generation is given the chance to turn the page on the past and write a new chapter in history. Yet this was the opportunity before us on August 14, 1947. We botched it.

Today Pakistan looks exhausted, ossified and ideologically bankrupt, surviving merely to perpetuate its corrupt rulers. Never has the divide between ruler and ruled seemed so gaping, and perhaps never has it been so dangerous. Thievery at the summit of power, a totally new phenomenon introduced in this country by Zardari, inspires outrage and disgust among the people, especially the poor.

President Ben Ali of Tunisia had to flee the country in the darkness of the night in order to escape the wrath of his people. Isn't it a great tragedy that General Musharraf, guilty of unspeakable crimes against the state and with the blood of innocent Pakistanis on his hands, was given a ceremonial guard of honour by the so-called democratic government of Pakistan and allowed to escape. Little did the people of Pakistan know that it was all part of the deal made in Washington, now unfolding before our eye. The Zardari regime is merely a facsimile of the Musharraf regime in civilian clothing and is awash in corruption.

Today the nation is clearly at a crossroads. We can follow the line of least resistance, turn a blind eye and follow the road that has led us to where we are today. Or we can choose the other road. If parliament is unable or unwilling to respond to public demands, people will, perforce, take the issue to the parliament of man, the parliament of the streets.

The American footprint in our country is growing larger and heavier by the day. Nuclear Pakistan is now an American colony and is used as a doormat on which the US can wipe its bloodstained boots. American military personnel cross and re-cross our border without let or hindrance. Their drones violate our air space with the agreement of our government and kill innocent men, women and children. No questions asked. No public outrage. No protest demonstrations. No self-respecting country, big or small, would tolerate such intrusions.

Men and women of Pakistan! Today we are engaged in a great battle. The lines are drawn. The issues are clear. Those who are not with the people are against them. It is as simple as that. The time to hesitate is through. Now or never is the moment when salvation from these highway robbers is possible. Too long have we been passive spectators of events. Today our fate is in our hands, but soon it may go beyond.

“There is a moment in engagement”, Napoleon once said, “when the least manoeuvre is decisive and gives victory. It is a one drop of water which makes the vessel run over”. That moment has arrived.

Pakistan has only two choices: shambles and corrupt rulers or a rally of the mass of the people. Little Tunisia is a clarion call for all those who want to drive out their corrupt rulers. Both the president and the prime minister lack integrity and credibility. Any other person in their position would have resigned long ago. A Japanese would have committed hara-kiri. The tragedy of Pakistan is that both Zardari and Gilani are clinging to office like a dirty old piece of chewing gum on the leg of a chair and, like Ben Ali, will not leave voluntarily.

At this moment, when the nation is standing on the escalator of corruption and anarchy, right-minded citizens cannot afford to stand frozen in disgust and dismay. We cannot merely look upon the political development in sorrow and upon our politicians in anger. The problems facing the country have to be faced and their solutions sought without delay. We are racing against time. A problem avoided turns into a crisis, and the crisis not mastered can turn into a disaster further down the road.

I still remain hopeful we can rouse ourselves to save our country. But the time is growing short. We are fast approaching the edge of a huge waterfall and are about to plunge over it. Unfortunately, no one seems to realise that it is almost too late to head for shore.

## What is happening today

Saturday, January 08, 2011

At a time when the country is at war, President Zardari, the supreme commander, spends almost his entire existence in the confines of a bunker-- he seldom leaves it these days. If he is so fearful for his life, he has no right to be the supreme commander.

The non-sovereign rubberstamp parliament is fake like a Potemkin village, with quite a few members of this body holding fake degrees. Pakistan will be Pakistan again as soon as we have swept away this scum, and there will be no Pakistani who will not cry with joy when that happens. Instead of being allowed to masquerade as chosen representatives of the people, its members should all be tried and sent to prison.

We have a disjointed, lopsided, hybrid, artificial, corrupt and dysfunctional political system. We have a weak, ineffective and corrupt prime minister, the epitome of self-satisfied mediocrity who changes his public statements as often as he changes his designer suites. Pakistan is like a nightmare in which you foresee all the horrible things which are going to happen and can't stretch out your hand to prevent them.

While Pakistan's rulers are corrupt, despotic and accountable to none, the opposition languishes in torpid impotence, utterly failing to play the role it should be playing in a parliamentary form of government. "The two parties are like competing stage coaches which occasionally splash each other with mud, but travel by the same road to the same place." It is as if Hazlitt was referring to the PPP and the PML-N.

Otto von Bismarck once said that political genius entailed hearing the hoof-beat of history then rising to catch the galloping horseman by the coattails. Nawaz Sharif has a decisive role to play in the critical days ahead. People expect him to provide leadership. The voice of history beckons him. Why doesn't he respond? For some inexplicable reason, he is hesitant to "seize the moment." Instead, he continues to prevaricate and stays on the fence.

Will he "seize the hour"? Will he respond to the challenge? On that would depend the coming course of events in Pakistan and Nawaz Sharif's political future. "If the individual and the situation meet," Willy Brandt told Oriana Fallaci, "then the machinery is set off by which history takes one direction instead of another."



Imran Khan has caught the flavour of the moment. He has a shrewd sense of timing. Zardari's government is wobbling. His administration is paralysed and is lying prostrate in the boulevards of Islamabad. He is losing political capital by the hour. As his fortunes wane, Imran's star glows brighter and brighter.

"Everything seems to be following its normal course," as Goethe once said, "because even in terrible moments in which everything is at stake, people go on living as if nothing were happening." This is true of present-day Pakistan. But the straws in the wind are there. Time will show whether there are enough of them to make a bale of hay. Beneath Pakistan's placid surface the tectonic plates are shifting. We can wake up today--or we can have a rude awakening, and sooner than we think.

This nation asks for change. And change now. The demand for change reminds me of the fateful "Norway Debate" in the House of Commons in May 1940. Britain was at war, facing the full might of Nazi Germany. In the backdrop of the dismal picture of failure and retreat which confronted the nation, L S Amery, MP, delivered the historic speech which led to the resignation of Prime Minister Chamberlain and elevation of Churchill as prime minister. "I cast prudence to the winds," Amery wrote in his diary, "and ended full out with my Cromwellian injunction to the government... You have sat too long here for any good you have been doing. Depart, I say, and let us have done with you. In the name of God, go."

The total collapse of state machinery in present-day Pakistan reminds me of the Twilight of the Mughals. "The symptoms of social collapse are progressive declines in standards of conduct, public and private, and the superiority of centrifugal over centripetal forces. When the administrative machinery breaks down, law and order is the first casualty. And when respect for law and authority declines, the devil of force leaps into its place as the only possible substitute and in the struggle that ensues every standard of conduct and decency is progressively discarded. Men begin by being realists and end by being Satanists.

Sometimes synthesis takes place from within; sometimes it is imposed from without. If the original breakdown of authority is caused by a ferment of ideas, a genuine revolution like the French may result. If it is simply due to the decrepitude of authority, the solution is the substitution of a fresh authority, but whether that substitute is external or internal depends upon local circumstances." This is a correct description of what is happening in Pakistan today and it is scary.



## **The dark, long night**

**Thursday, December 30, 2010**

“Few individuals significantly alter the course of history,” wrote Stanley Wolpert in the preface to his book on Mr. Jinnah. “Fewer still modify the map of the world. Hardly anyone can be credited with creating a nation-state. Mohammad Ali Jinnah did all three.” By 1940, the mystical bond linking Jinnah and the people was so profound that nobody could challenge Jinnah’s leadership of the Muslims of India. He was their sole spokesman.

Beverly Nichols, who first met Mr. Jinnah on December 18, 1943, called him a giant, the most important man in Asia. “India is likely to be the world’s greatest problem for some years to come, and Mr. Jinnah is in a position of unique strategic importance. He can sway the battle this way or that as he chooses. His 100 million Muslims will march to the left, to the right, to the front, to the rear at his bidding and at nobody else’s... that is the point.” Without Jinnah, it is safe to say, there would have been no Pakistan.

Rarely, in the history of human endeavour, have so many owed so much to one, single, solitary person. Mr. Jinnah envisioned Pakistan as a modern, progressive, democratic country drawing its inspiration from the true, dynamic, pristine, revolutionary Islam of its early years with its emphasis on egalitarianism, social justice and accountability. Jinnah was a fervent believer in the sovereignty of the people, the inviolability of constitution, supremacy of civilian rule, an absolutely independent, incorruptible judiciary, rule of law and a strong, neutral, honest civil service. The ruling passion of Jinnah’s life was the love of law and liberty. On innumerable occasions, before and after the establishment of Pakistan, he affirmed his faith in democracy, social justice and the equality of men as taught by Islam. In a broadcast to the people of the United States of America in February 1948, he said,

“The Constitution of Pakistan has yet to be framed by the Pakistan constituent assembly. I do not know what the ultimate shape of the constitution is going to be, but I am sure that it will be of a democratic type, embodying the essential principles of Islam... Pakistan is not going to be a theocratic state to be ruled by priests with a divine mission.” With Mr. Jinnah’s death, it was as if a great light had gone out, and people were left groping in the dark.

The hands of the nation's clock stopped the day the Quaid's heart stopped beating. Sometimes, I wonder if it ever occurred to Mr Jinnah that, one day, Pakistan will be stripped of all its core values; the constitution, the supreme law of the land will be abrogated or suspended, defaced, disfigured and changed beyond recognition; Pakistan will be ruled by a corrupt president and his dream will turn into a nightmare.

As he left the constitutional convention of 1787, Benjamin Franklin was asked by an admirer, "Dr Franklin what have you given us." Franklin turned to the questioner and replied, "A Republic, if you can keep it." Not too long ago, we too possessed a great country earned for us by the sweat of the brow and iron will of one person. Where giants walked, midgets pose now. Our rulers, both elected and unelected, have done to Pakistan what the successors of Lenin did to the Soviet Union.

Many nations in the past have attempted to develop democratic institutions, only to lose them when they took their liberties and political institutions for granted. Pakistan is a classic example. Born at midnight as a sovereign, independent, democratic country, today it is neither sovereign, nor independent or democratic. Today it is not just a "rentier state", not just a client state. It is a slave state, with a puppet government set up by Washington, ill-led, ill-governed by a power-hungry junta.

Think about where we stand today? We have President Zardari. And little hope and no cash. The Pakistan Mr. Jinnah founded is gone. It disappeared the day power-hungry generals and corrupt politicians hijacked Pakistan. On that day, the lights went out. Pakistan slid into darkness. Thanks to eight years of General Musharraf's illegitimate rule, followed by over two years of Zardari's corrupt administration, today Pakistan is a ghost of its former self. If it were to look into a mirror, it won't recognise itself. Today Pakistan looks like a bad parody of the miracle we witnessed on August 14, 1947.

If Mr. Jinnah came today and saw President Zardari, in occupation of his august office, he would say, "I am afraid I need to erase this and start all over again."

"When the head is rotten, it affects the whole body," King Abdullah is quoted as saying with reference to Pakistan. A country that tolerates a situation in which people who are corrupt to the bone rule, is a sick country. I have always believed and always shall, that indifference to corruption at the summit of power is treason.

Who is there to inspire the people? Who is there to lead the people? Who is there to cleanse Pakistan of the filth surrounding it? We need a committed, passionate

person to lead our country, not a Sunday school teacher taking baby steps cautiously. Pakistan is hungry for a person who will light a candle in the gloom that is our morale; who has a passion burning within him to set our nation alight; who will be the standard-barrier of the disenchanting; who can give voice to our humiliation; who places country above self; who gives the country a new agenda; one that does not replace one set of corrupt leaders by another; who offers the genuine hope of a new order to take us into a new millennium; and, most important, whose hands are clean.

Is the dark long night about to end? And has the time come for us to leave the valley of despair and climb the mountain so that we can see the glory of another dawn? Cast off despair. The darkest hour is the one just before dawn and as generally happens in history, it is at the darkest hour that a bright star arises when you have almost given up hope. When a nation is in crisis, it needs a man to match the time.

'You don't create such a man, you don't discover such a man. You recognise such a man'. Time cries out for leadership. Cometh the hour, so cometh the man. The hour will find the man who has the will and power to restore the Pakistan dream.

Talking about social justice and equality in the Pakistan of his dream, Mr Jinnah said in a speech delivered in April 1943, "Here I would like to give a warning to the landlords and capitalists. The exploitation of the masses has gone into their blood. They have forgotten the lesson of Islam. Do you visualise that millions have been exploited and cannot get one meal a day? If this was the idea of Pakistan, I would not have it."

Today all the symptoms which one had ever met in history previous to great changes and revolutions exist in Pakistan. Men and women of Pakistan, now is the hour to claim your rights, your core values, your stolen money. The cabal that rules this poor country is degenerate to the very bones and nauseatingly corrupt. We must extirpate it root and branch. Be prepared to march. It is time to go to the barricades. The great are great only because we are on our knees. Let us rise.

## **La verite en marche**

**Monday, December 13, 2010**

As I waded through the Wikileaks documents, I was reminded of the wisdom of the Arab proverb: the word you have not spoken is your slave; the word you have spoken is your master.

The publication of Wikileaks secret and confidential dispatches has become a cause celebre throughout the world and has hit Pakistan like a Tsunami spreading in fast and unpredictable ways. Pakistan has been shaken up like a sleeping person from a tranquilising dream. A terrible shower of cold water has fallen over the people of Pakistan. This is Pakistan's bleakest hour. Truth - unvarnished, unalloyed, unedited, has hit "democratic" Pakistan, exposing its fake sovereignty, its fake independence, its fake leadership, in fact all its Potemkin institutions.

In every independent country there are certain articles of faith - national sovereignty, independence, patriotic leadership that protects, not betrays national interests - that people accept unquestioningly, often indeed, in the face of inconvenient facts. The Wikileaks documents have shattered that faith in this sad country. It has thrown tonnes of dirt, filth, shame on the leadership of Pakistan. The shit, as American say, has hit the fan. Pakistan has been betrayed by her elected representatives, betrayed by her rulers, stabbed in the back by power-hungry generals, tripped up by her so-called ally in the war on terror.

But first, a few general observations on the dispatches themselves. The cables contain narratives of meetings with President Zardari, Prime Minister Gilani, Chief of Army Staff General Kiyani, discussions with prominent politicians, including members of the opposition and private citizens. It is the single largest unauthorised disclosure of secret and confidential documents which chronicle events that have contemporary significance and have a present impact on vital matters of public importance. Also captured in the reports is the internal power struggle, shifting loyalties and Byzantine intrigues. The reports tell us what the ambassador saw and heard from her vantage position: the clash of personalities, the conflicts among the key players, their ambitions, their hopes, their prejudices, their fears, and their frustrations.

Here are a few samples of what our leaders told US Ambassador Anne Patterson: General Kiyani thought of removing and sending President Zardari into exile

during the long march days; Asif Ali Zardari disclosed that Benazir Bhutto had come to Pakistan after getting “clearance” from the US; Zardari had promised immunity and safe passage to Musharraf before becoming President; Musharraf wanted to sack Kiyani because he was not helping. Are you with me? Faryal Talpur has been named as Zardari’s successor and next president of Pakistan! General Kiyani says Faryal will be a better president than Zardari; Zardari showed Benazir’s will to Anne Patterson to convince her that he is the genuine heir; PM Gilani approved the drone attacks; General Kiyani wanted to remove Zardari and elevate Asfandiyar Wali Khan as president; The ISI chief tells the Americans Zardari is corrupt. Are you with me? Moulana Fazlur Rehman asks Anne Patterson to support his PM candidacy; The JUI chief hinted his votes in NA are up for sale; Asfandiyar Wali Khan asks for US help to convince Nawaz Sharif and Zardari; Kiyani tells Patterson, he dislikes Nawaz more than Zardari; Zardari says Amin Faheem had spent most of the 2008 election campaign in Dubai, was simply too lazy for prime minister. Are you with me? UK airport Chief Marshall Sir Jock Stirrup called Zardari a numbskull who knows nothing about running a country; US Embassy says the Zardari government is weak, ineffectual and corrupt; Bureaucracy is settling into third-world mediocrity; Nawaz assured US, he supported them; Militants driving agenda in Pakistan’s war on terror; Nawaz wanted to bring A Q Khan in politics; Mumbai attacks closed the door on Kashmir discussion between India and Pakistan; General Kiyani didn’t wish to takeover government. He said he would have taken over during the lawyer long march if he wished to; Zardari told the US, we won’t act without consulting with you. And many more such disclosures yet to come.

The United States posted some of its brightest and best diplomats to Pakistan for the obvious reason that Pakistan possessed considerable importance to American foreign policy. It is therefore not surprising that the Ambassador’s reporting is truthful and of a high quality. There is also commendable absence of bias. It would, of course, be unfair to find complete impartiality as the object of the dispatches is to defend and further the interests of the United States. And most important of all, the emphasis is on what the interlocutor told the diplomat, and not vice versa.

The portraits of President Zardari and Prime Minister Gilani that have emerged confirm what the people of Pakistan think of them. Both come off as servile, obsequious, lackeys of the United States, insecure, highly dependent on American support, too willing to sacrifice national interest in order to secure American help for themselves and remain in power.

Zardari and Gilani keep the people in the dark, tell them lies, and treat truth as an insignificant value which can be suppressed, distorted, and readily sacrificed to the will for power. But truth is on the march and nobody can stop it. All else

will pass, but the truth will remain. I know that precisely because the interests involved are too great and the men who wish to stifle the truth are too powerful, the whole truth will not be known for sometime. But there is no doubt that very soon every bit of it, without exception, will be divulged. No matter how deep you bury the truth, it burrows ahead underground and one day surfaces again everywhere to spread like some vengeful vegetation. It carries the power within it to sweep away all obstacles. And whenever the way is barred, whenever someone does succeed in burying it for any time at all, it builds up underground, gathering such explosive force that the day it bursts out at last, it blows up everything with it.

Fortunately, the independence of the Fourth Estate is now a fact of life and cannot be reversed. No one can prevent the truth from continuing its onward march. Truth shall win. And the men in high positions, who are combating the truth and stifling it, will find to their dismay that as the great Greek poet Euripides said, "*Quo vult perdere Jupiter dementat*". Jupiter drives to madness those whose downfall he desires.

Where do we stand today? On August 14, 1947, we thought we had found freedom, but it has turned out to be another kind of slavery. The Wikileaks dispatches make it abundantly clear. The independence of Pakistan is a myth. Pakistan is no longer a free country. Today it is not just a "rentier state", not just a client state. It is a slave state with a puppet government set up by Washington. I have been saying this for years.

Today Pakistan has all the requirements to make it the perfect American target for recolonisation. It has a rotten socio-political system in an advanced stage of decay and decomposition; its rulers are corrupt, authoritarian, unresponsive to the prime needs of the people, accountable to none; it lacks the will to defend itself because what its rulers represent is not worth defending; it is highly vulnerable to attack; a coup de grâce, or a coup de main, a powerful kick and the entire rotten structure will come crashing down.

"Amir!" Quaid-e-Azam told Raja Sahib of Mahmudabad in 1948, "You have no idea of the situation here. I am surrounded by traitors." The situation we face today is much worse. Therefore, it is a political and moral imperative for all patriotic Pakistanis to expose the traitors, fight for our core values, resist foreign intervention in our internal affairs and destroy the roots of evil that afflict Pakistan. Let us put our hand on the arc of history, and bend it once more toward the hope of a better Pakistan.



## **The only solution**

**Wednesday, December 01, 2010**

I witnessed the emergence of Pakistan – its early days, its headiest days, also its bleakest days. I saw how a nascent democratic republic, filled with such flowering promise, inexorably slid into darkness. Sixty-three years after Mr Jinnah gave us a great country, little men mired in corruption have captured political power and destroyed his legacy. Pakistan was born free, sovereign and independent. Today it is in chains, and in deep, deep trouble. Once we believed we were possessed of a unique destiny. Today our country is dysfunctional and sleepwalking toward disaster. It is, in the evocative French word, “Pourri” – rotten to the core. How did we get from there to here?

As we look back at all the squandered decades, it is sad to think that for Pakistan it has been a period of unrelieved decline and the dream has turned sour. Once we were the envy of the developing world. That is now the stuff of nostalgia. The corrupt, especially those occupying the commanding heights of power, are doing breathtakingly well, while the large mass of people is struggling hard just to keep its head above the water.

Many nations in the past have attempted to develop democratic institutions, only to lose them by taking their liberties and political institutions for granted. Pakistan is a classic example. Born at midnight as a sovereign, independent, democratic country, today it is neither sovereign, nor independent, not even democratic. Today it is not just a “rentier state”, not just a client state. It is a slave state, ill-led, ill-governed by a power-hungry junta and a puppet government set up by Washington.

As he left the constitutional convention of 1787, Benjamin Franklin was asked by an admirer, “Dr Franklin what have you given us.” Franklin turned to the questioner and replied, “A Republic, if you can keep it.” Not too long ago, we too had a great country earned for us by the sweat of the brow and the iron will of one person. Where giants walked, midgets pose now. Our rulers, both elected and un-elected, have done to Pakistan what the successors to Lenin did to the Soviet Union.

Where do we stand today? The Pakistan Mr Jinnah founded is gone. It disappeared the day power-hungry generals, like Musharraf, used the army as an instrument for grabbing political power and hijacked Pakistan. On that day, the lights went out. Pakistan slid into darkness. Pakistan – a broken landscape of

sagging institutions superficially intact but visibly shredded, at war with itself, a corruption-corroded state, an imperial edifice built on feudal foundation – is a seething hub for anger and desperation and is fast silting up. Thanks to the eight years of General Musharraf’s illegitimate rule, followed by over two years of Zardari’s corrupt administration, today Pakistan is a ghost of its former self. If it were to look into a mirror, it wouldn’t recognise itself. Today Pakistan looks like a bad parody of the miracle we witnessed on August 14, 1947.

We have a horrible past, a topsy turvy present and an uncertain future. The country appears to be adrift, lacking confidence in its future. Nobody knows where it is headed and very few care. Today we have an elected parliament, a civilian government, multiple political parties, a free press and all the other trappings of democracy. But all these are mere symbols which hide the reality of the power structure and play no role in determining policy decisions. How meaningful is our “democratic” order when the real decisions are made in Washington?

Today the political landscape of Pakistan stands dotted with Potemkin villages. All the pillars of state, with the exception of the Supreme Court, are dysfunctional. Pakistan sits between hope and fear. Hope because “so long as there is a judiciary marked by rugged independence, the country and the citizen’s civil liberties are safe even in the absence of cast-iron guarantees in the constitution”. Fear that inspite of a strong and independent judiciary, the present corrupt order will perpetuate itself because both the Zardari Presidency and the rubber-stamp parliament are in collusion and out of sync with the spirit of the times.

Parliament is one of the chief instruments of our democracy. Today, it is cowed, timid, a virtual paralytic, overpaid and underemployed. Parliamentary membership is the key to material success, a passport and a licence to loot and plunder. Who says, it is a check on the arbitrariness of the executive? Nobody takes it seriously. Today it is the weakest of the three pillars of state. It has suffered a steady diminution of power and prestige. Its image is tarnished and has been turned into a fig-leaf for unconstitutional and illegal corrupt practices. It reminds me of the late Supreme Soviet. Whenever it met, the political leadership sat on a high tribunal facing delegates, packed like jurors in Alice in Wonderland. They passed government-sponsored proposals in their traditionally disciplined manner, raising their dutiful hands whenever the vote was called.

We have come to a critical fork in the road. The time has come which must determine whether Pakistan is to be ruled by law or the whim and caprice of one single, solitary person mired in corruption. Do we wish to remain citizens of a Republic, or do we prefer some form of autocracy in which one person decides

the destiny of 160 million people? Today we are engaged in a great battle. The lines are drawn.

The issues are clear. Those who are not with the people are against them. It is as simple as that. The time to hesitate is through. Too long have we been passive spectators of events. Today our fate is still in our hands, but it may soon go beyond.

At last people have found their life's mission: to fight for their inalienable rights. Fight for bread, water, clean air – all basic necessities for sheer survival, a corruption-free government accountable to the people. And I believe they have also found the tool to achieve this mammoth task: massive, peaceful, street demonstrations all over the country. When thousands of men and women fill the streets, halt the normal flow of business and march with colourful banners and an infectious enthusiasm in pursuit of a just cause, they can break through the barricades and excite the attention of people all over the country and around the world. We have seen it before. It can happen again.

I have lived to see millions of my people indignant and resolute in the streets of Islamabad, demanding rule of law, independence of judiciary, ruthless accountability, and an end to high-level corruption, with an irresistible voice. But as we ring out the old, and ring in the new, as the year 2011 begins, it remains to be seen if that voice of liberty proves to be durable. It is now or never. One thing is clear. Change is going to come sooner than you expect – if we work for it, if we fight for it, if we believe in it.

## **Pakistan's rural Iron Curtain**

**Saturday, November 20, 2010**

Talking about social justice and equality in the Pakistan of his dream, Mr Jinnah said in a speech delivered in April 1943: "Here, I would like to give a warning to the landlords and capitalists. The exploitation of the masses has gone into their blood. They have forgotten the lesson of Islam. Do you visualise that millions have been exploited and cannot get one meal a day? If this is the idea of Pakistan, I would not have it."

On the night of Aug 4, 1789, soon after the outbreak of the French Revolution, the National Assembly voted the abolition of feudalism in France. The advantages that came with such a radical reform soon spread to the whole of Europe. Today, over the great part of the world, the occupiers of agricultural land are the owners of it: peasant proprietorship is predominant. Not in Pakistan.

It is ironic that it was only after the military takeover in 1958 and the coming to power of an authoritarian government that a Land Reforms Commission was appointed "to consider problems relating to the ownership and tenancy of agricultural land and to recommend measures for ensuring better production and social justice, as well as security of tenure for those engaged in cultivation."

The commission submitted its report, which was drafted by Ghulam Ishaq Khan, the future president, to President Ayub Khan, who was also the chief martial law administrator. The commission saw its task as analysing "the peculiar social, economic and political consequences following from what amounts to an institutional monopoly of land in a primarily agrarian society." It duly emphasised that those who do not own land are relegated to a socially inferior position, with all the disabilities of that position.

The commission did not aim at breaking the power of the "old ruling oligarchy with its roots in big estates." The commission took what it called a "pragmatic" and "middle-of-the-road" position on the question of imposing a ceiling on the private ownership of land, and it hoped that the implementation of its recommendations would lead to "the creation of a strong middle class" and to laying "the foundation for owner-operated farms on holdings of economic size."

There was a serious division of opinion between Mr Ghulam Ishaq Khan and the other members of the commission on the crucial question of specifying a ceiling on land holdings. In his dissenting views about the fixation of ceiling on land,

Ghulam Ishaq Khan noted that “the control of economic opportunity, in the form of concentration of landed wealth in the hands of the relatively few, to the exclusion of the great majority dependent on it for a living, in turn divides the society into economically and socially inferior strata of haves and have-nots.”

As a result of such a socially divisive concentration of land in a few hands, social progress is hampered and the society remains indefinitely stratified. Hence, he thought that the objectives of economic progress and social justice could be best achieved by fixing the ceiling on land held by individuals and families at a sufficiently low level. He opposed the “much too liberal” ceiling and the allowances and exemptions recommended by the majority of the commission members, because he thought that the net effect of the proposed measures for a long time to come will be to leave unchanged the concentration of land in families, instead of individuals.

Hence, in line with the recommendations of the Muslim League Committee and the First Five-Year Plan, he proposed a maximum limit of 150 acres of irrigated land, or 450 acres of un-irrigated land. Even more important, he also recommended, for the first time in Pakistan, that a limit should be set on land owned by the family: 350 irrigated acres or 900 un-irrigated acres. According to him, the lower ceilings he proposed for the individual and family was necessary to break the monopolies on land and to make access to opportunity through land more free, to ensure greater social justice and economic growth.

Mr. Ghulam Ishaq Khan also dissented from the views of the majority on the issue of exempting orchards from the prescribed ceiling, because “exemption of orchards from the operation of ceiling will mean a further addition to the already liberal exemptions given to the existing landowners.” He argued that, in the first place, orchards were highly profitable ventures and were not an especially risky investment. In addition, he argued, the exemption of orchards from the ceiling would add to the corrupt practices of unscrupulous owners and petty revenue officials of converting ordinary agricultural land into orchards retrospectively. He insisted, therefore, that the area under orchards should be taken into account for the purposes of the fixation of ceilings on par with other agricultural land of the same class included in the owner’s holdings.

Mr. Ghulam Ishaq Khan also opposed the majority’s recommendation about the transfer of land by gift to any or all of the presumptive heirs, on the ground that it would lead to the concentration of land in families, in spite of the ceiling. He saw no justification for such a recommendation, because large owners have already distributed their property among as many real or imaginary presumptive heirs as they could trust to hold the land for them. Therefore, he warned that the ceiling of land would also amount to an expansion of the

generous ceiling already allowed on other counts and would defeat the fundamental purpose of land reforms.

The commission estimated that if Ghulam Ishaq Khan's views prevailed, about six million acres would be available for resumption from holdings of 500 acres and above. The jagirs (freeholds) and farms between 100 and 500 acres would have added another two million acres, raising the extent of the resumable area to eight million acres, as against the 2.5 million acres actually resumed under the 1959 land reforms! The resumed area of this magnitude would have correspondingly benefited nearly 800,000 peasants, assuming a 10-acre size of the redistributed holding.

The dissenting view of Ghulam Ishaq Khan did not persuade the majority of the commission members: they thought that "the premise from which Mr Ishaq proceeds does not correctly depict the conditions obtaining in West Pakistan." A heated debate followed. When the matter came before the cabinet, Mr. Zulfikar Ali Bhutto defended the landlords' case with great passion and almost broke down. In order to ease the tension, President Ayub had to interrupt the discussion and order drinks to be served.

When the PPP government came into power, it prescribed a ceiling of 150 acres of irrigated land and 300 acres of un-irrigated land, or an area equal to 15,000 PIUs. A total of 1.3 million acres were resumed, of which only 900,000 acres were redistributed to various tenorial classes. The number of the beneficiaries did not exceed 76,000. By the autumn of 1976, it had become apparent that the government's reforms measures did not produce the expected results.

To remedy the situation, the government promulgated another land reform ordinance (Ordinance II of 1977), with three new significant features. It reduced the ceiling to 100 acres of irrigated land and allowed compensation to landowners in the form of bonds. It made provision for distribution of resumed land among landless tenants and small landowners without charge or payment. But the military government which took over power on July 5, 1977, amended the 1977 act in 1982 to exempt corporate livestock farms from individual ceilings. An additional area of 1.8 million acres was resumed under the 1977 act, of which, 900,000 acres were distributed among 13,143, persons.

The piecemeal reforms introduced by Ayub and Bhutto have bolstered the political, social and economic position of the rural upper strata on which their governments depended for political support. Not only has the political influence of this group increased but its interest in the perpetuation of the status quo has been considerably enhanced. In combination with other powerful forces in the

military and civil bureaucracy, it exerts a strong pressure for conservatism in regard to the agrarian structure.

Piecemeal reforms have thus dimmed the prospects for radical reforms in agriculture, despite the deterioration in the status of the weaker members of the rural hierarchy and the rapid increase in their numbers, both absolutely and relatively. Measures that would deprive the upper strata in the villages of land and power, and would genuinely confer dignity and status on the underprivileged and the landless, are among the last that the landed aristocracy would find acceptable.

Banana republics are notorious for their inequality. In some of these plutocracies, the richest one per cent of the population gobbles up 20 per cent of the national pie. We Pakistanis don't have to travel to banana republics to observe such rapacious inequality. We have it right here in our country. We have reached a banana-republic point where our inequality has become both economically unhealthy and morally repugnant.

A great divide, a yawning chasm - some call it a new Iron Curtain - separates the rich from their less fortunate countrymen, whose life is "nasty, brutish and short." Because these people have bank accounts, luxurious villas, mansions, and apartments in the West, they can easily escape from Pakistan's misery.

They have a stake in the status quo or the system, as they call it, and therefore impede the birth of a new order in rural Pakistan.

In the West, democracy destroyed the feudal system and vanquished kings. In stark contrast, Pakistan's fake democracy protects and perpetuates this unjust, outdated and obsolete system. The very idea of progressive agrarian reforms is abhorrent to the rubberstamp parliament and the cabal that rules this poor country. Since it is degenerate to the very bones, nauseatingly corrupt, we must extirpate this system, root and branch. One thing is certain. For anything to change in this country, everything has to change.

## **Thus are we governed**

**Wednesday, November 10, 2010**

The Zardari government treats truth as an insignificant value which can be suppressed, distorted and readily sacrificed to the will of power. Every now and then ministers make outrageous statements and spread blatant lies without the slightest regard for truth or principle.

Prime Minister Gilani told journalists recently, "There is no corruption in Pakistan." Everybody knows this government is corrupt from top to bottom, from the bark to the core. "Talks held with US on equal footing," said Foreign Minister Shah Mahmood Qureshi. Everybody knows this government deals with the US with its "knees on the ground". Nobody believes a word they say. The time for such stupid remarks is over. Such cruel jokes cannot amuse a country that is prostrate, exhausted, impoverished, humiliated, abandoned and no longer independent.

Today we have a government that is not a government of the people, by the people, for the people. It is a criminal syndicate, an organised crime ring. If you want to know how this cabal plunders this poor country, visit the Supreme Court and watch the proceedings.

The farewell address of George Washington will ever remain an important legacy for small nations like Pakistan. In that notable testament, the Father of the American Republic cautioned that "an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter." "It is folly in one nation," George Washington observed, "to look for disinterested favours from another...it must pay with a portion of its independence for whatever it may accept under that character." No truer words have been spoken on the subject. Pakistan is paying and will continue to pay a very heavy price for the folly of attaching itself to America. In this country democracy is only permissible when the results are favourable to America. Not otherwise.

We lost our independence years ago. The decolonisation of Asia, triggered by the Second World War, led to the retreat of foreign powers and the creation of a number of nation-states, including India and Pakistan, in the region. Of all the de-colonised, newly-independent countries, Pakistan is perhaps the only country which has lost its independence, has been re-colonised and turned into an



American colony.

Today it is not just a “rentier state”, not just a client state. It is a slave state, ill-led, ill-governed by a power-hungry junta and a puppet government set up by Washington. “Liberty once lost,” Adams famously told his countrymen, “is perhaps lost forever.” We Pakistanis lost our independence and all our democratic institutions in October 1999 when General Musharraf toppled an elected government. Sadly, Pakistan also lost her honour and became a ‘rentier state’ on Musharraf’s watch when he capitulated, said yes to all the seven demands presented to him at gunpoint by Secretary Colin Powell and joined the “coalition of the coerced”. Regrettably, this situation remains unchanged even though the country is now under a democratic dispensation!

Marx once said: “Neither a nation nor a woman is forgiven for an unguarded hour in which the first adventurer who comes along can sweep them off their feet and possess them.” October 7, 1958 was our unguarded hour when democracy was expunged from the politics of Pakistan with scarcely a protest. The door was opened to Bonapartism. The result is the mess we are in today. Today there is not much independence or democracy left in Pakistan to celebrate.

A lesson to be drawn from the works of Gibbon is that Rome’s enemies lay not outside her borders but within her bosom, and they paved the way for the empire’s decline and fall – first to relentless barbarian invaders from the north, and then, a thousand years later, to the Turks. Many early symptoms that heralded the Roman decline may be seen in our own country today: the ever-present threat of military intervention in the affairs of state, concentration of power in one person without responsibility and accountability, contempt for the constitution and the Supreme Court, absence of rule of law, high-level corruption and greed. Today what is at stake is the survival of the state itself. At this time, all those who see the perils of the future must draw together and take resolute measures to secure our country.

“After joining the coalition of the coerced”, this is what we get: a spurious democracy brokered in Washington, an accidental president facing corruption and criminal charges, a rubber stamp parliament, a figurehead and corrupt prime minister, and to add insult to injury, Zardari regime – a facsimile of the Musharraf regime in civilian clothing. Potemkin villages dotted all over the country, the nation’s army at war with its own people; flagrant violation of our air space and national sovereignty by US aircraft, resulting in the killing of innocent men, women and children. No protest by our “democratic government”, no expression of remorse by our coalition partner in the so-called war on terror, no regret.

The state of the federation is chilling. It would stun someone who went to sleep soon after Independence Day in 1947 and awakened in the present.

All philosophers tell the people they are the strongest, and that if they are sent to the slaughterhouse, it is because they have let themselves to be led there. In other countries there are men and women who love their liberties more than they fear persecution. Not in Pakistan. Here the elite who owe everything to this poor country do not think in terms of Pakistan and her honour but of their jobs, their business interests and their seats in a rubber stamp parliament. Surrender rather than sacrifice is the theme of their thoughts and conversations. To such as these talk of resisting foreign intervention is as embarrassing as finding yourself in the wrong clothes at the wrong party, as tactless as a challenge to run to a legless man, as out of place as a bugle call in a mortuary. What is tragic is the total failure of the politicians, the intelligentsia, the intellectuals, infact, the entire civil society to comprehend the threat posed by surging American imperialism to the country's very existence.

How can authentic democracy flourish in this country when people are not prepared to defend the core values of the nation - sovereignty of the people, inviolability of the constitution, supremacy of civilian rule, a fiercely independent, incorruptible judiciary, rule of law, an independent, incorruptible chief election commissioner, a neutral, non-politicised and honest civil service, social justice, egalitarianism and ruthless accountability of rulers? How can authentic democracy take root if people have no faith in their democratic institutions; if they do not value representative governments; if they are not prepared to make any sacrifices for its sake; if they are unwilling to defend it and if they are unable to do what it requires?

In this atmosphere of gloom and doom, Chief Justice Iftikhar Chaudhry's act of courage, his defiance of the military dictator, promised a resurrection, a rebirth of the nation. Today he alone is the incarnation of the values for which we are fighting. Rarely, in the history of human endeavour, have so many owed so much to one single, solitary individual. The conspirators who have ganged up against him and the reborn Supreme Court must not succeed.

## **Chaos and revolution**

**Friday, October 29, 2010**

On the final day of the US-Pakistan strategic dialogue, Secretary Clinton once again urged Pakistan to reform its tax system to yield more funds for flood relief and other needs from its wealthy. "Now, reforming Pakistan's tax system is one area in which tough decisions will have to be made, because it will serve a broad double-purpose. A broader tax base will mean more funding for roads, bridges, power plants and airports, all essential elements of a growing economy." Expanding the tax base, she added, "would demonstrate to the international community that all segments of Pakistani society were willing to do their own part to rebuild their own country."

"A fair, equitable and corruption-free tax system is a primary objective of the government." Dr Abdul Hafeez Shaikh, Minister for Finance, Revenue and Economic Affairs, made this statement, while chairing a meeting of the tax-reform coordination group (RCG) formed in July 2010. The finance minister is aware of the necessity of finding money to carry on the affairs of the state. The end of the old regime in France in 1789 was brought about, in the first instance, by a cash-flow crisis. Fiscal exhaustion precipitated the French Revolution.

The finance minister knows that he has to take money from where it is. Indeed, one might ask, from where else? It seems obvious even to a layman like myself that taxes would have to be raised and sacrifices made by those best able to afford them. But this does not seem obvious to the parliament or to the government. They stubbornly oppose all efforts to clear up the rotten tax structures which weigh so much more heavily on the poor than on the rich. And in their fanatical regard for their capital and profit which is matched only by their disregard for the salvation of the country, they transfer their capital abroad to such a massive extent as to make inevitable the impending fate of the currency and the bankruptcy of the treasury.

Like the finance ministers of Louis XVI, Hafeez Shaikh faces an unenviable task, an ocean of public debt, a monstrous deficit, immense fiscal havoc, a bankrupt economy, glaring inequalities and political resistance to raising taxes from the merciless enemies of fiscal reform and defenders of upper-class privileges, a thoroughly corrupt government aptly described as a vacuum presiding over a chaos. He is also no doubt aware that the state cannot subordinate its irreducible military interest to the consideration of a balanced budget.

The very idea of asking those who have the money to shoulder the main burden of internal taxation is anathema to them. It frightens them to death resulting in the exodus of capital to safer, foreign havens.

The selfishness of the moneyed class in avoiding any financial sacrifice to help pull the country back up on its feet is shocking. The possessors and manipulators of most of the country's wealth will simply contrive to escape shouldering a fair share of the burden which will therefore fall hardest on the poor.

The power of a small elite which possesses most of the wealth appears to be greater than the power of the government elected by the people, presumably to run the country in the interest of all the citizens. This group is determined to preserve its privileged position and thus, its money. In effect, there is a virtual alliance between the possessor-class and the government, which it manipulates through its control of the parliament, the press, the financing of political parties, and the handling of its vast funds to influence the fiscal policies of government.

Faced with specific obligations to the country if the state were not to flounder in a financial morass, the moneyed class would shrink from meeting them. The Republic might go under but their wealth would be preserved. In the meantime they would not help keep it afloat by paying even their fair share of the taxes. The tax burden is for others to shoulder. If that were understood by the government, the Republic could continue. If not ... were there not other forms of government possible which promised more security for entrenched wealth? In the back of the minds of some of them the idea is beginning to sprout that perhaps the nation could be saved – and with it their class and its privileges – by returning to an autocratic regime, even a dictatorship.

The aversion of the rich to paying an equitable portion of taxes is notorious. Evasion of taxes, of course, is not peculiar to Pakistan. It prevails in all other Third World countries. In Pakistan the practice goes back a long way. The landed aristocracy, whose wealth is based mostly on vast landed estates, dodge most of the taxes the state attempts to impose. And all the time the peasants in the countryside, the workers living in urban ghettos, the poor, and the lower middle class, groan under an unbearable taxation burden. The aristocracy of money, having amassed its pile wants to stop the clock and stand still, forgetting that to stand still is to begin to die. It fiercely opposes change and reform and social agitation. The immunity of the landed aristocracy to direct taxes most obviously denies desperately needed funds to the treasury.

Pakistan realised long ago that its coffers were empty; that it had exhausted its resources so completely that it could no longer fulfil its basic function, the protection of its sovereignty. But however grave their financial predicament,

countries like Pakistan never go into receivership. However dreadful a financial situation they may get into, there will always be moneymen lurking in the wings prepared to set them on their feet – for a price. The price, in our case, is the abdication of our sovereignty to America. Financial rescue is contingent on loss of sovereignty. It is as simple as that. Not surprisingly, Pakistan today is neither sovereign nor independent, nor democratic. It is a “rentier state”, an American lackey, ill-led, ill-governed by a corrupt, power-hungry junta supported by Washington.

One of the lessons of history is that when hunger and anger come together, people sooner or later, come onto the streets. This demonstrates Lenin’s maxim that in such situations voting with citizen’s feet is more effective than voting in elections. The bringing together of anger with hunger is like the meeting of two livewires. At their slightest touch a brilliant incandescence of light and heat occurs. Just what and who would be consumed by the illumination is hard to tell. Well, hunger and anger did come together in the wake of the unprecedented floods which wrought havoc and displaced millions of poor people. I see blood in their eyes. I dread their determination.

Revolution comes of its own accord, un-engineered by anyone, and is born in the chaos of the collapse of the state. Today all the symptoms one had ever come across in history previous to great changes and revolutions exist in Pakistan. The country appears to be adrift. Pakistan is sliding into anarchy. One of the earliest and most spectacular acts of the great uprising in Paris in July 1789 was to pursue the economic vampires who were widely rumoured to have secreted away their booty. “Tremble, you who sucked the blood of poor unhappy wretches,” warned Marat. “These blood suckers either give an account of their larceny and restore to the nation what they have stolen or else, be delivered to the blade of law.”

The least we can do is to ensure that the Supreme Court judgement in the NRO case is fully implemented in letter and spirit. We must be ready to join in actions which ensure that thieves and robbers never again take the destiny of the nation into their hands. They must atone, they must be cast aside, they must not be allowed to enjoy the tainted wealth they have acquired.

## **Time for US to leave Afghanistan**

**Saturday, October 16, 2010**

“Tell me what should be done with the Afghan war?” President Obama opened the full NSC session by asking everyone present for his views. Wars are like that. Easier to start than to finish. No initiator of war in recent history has achieved the intended results; in fact in almost all cases, those resorting to force have ultimately undermined their own security and stature.

Today the United States seems trapped in a bad story, with no way to change the script. Where is this president taking America? He is on the path to another Vietnam. The Taliban know they are winning the war.

Twenty one years of unremitting war, including nine years of Soviet occupation, had left Afghanistan, a country of ruined cities, disabled war veterans, amputees, young widows, orphaned children, torn up roads and hungry, starving people. The Taliban, an ideological militia, were desperately trying to restore law and order and consolidate their conquest. Since their dramatic appearance at the end of 1994, they had brought relative peace and security to the country. Their capture of Kabul in 1996 virtually terminated the civil war in which over 50,000 people had lost their lives. More than 10,000 buildings were destroyed in Kabul alone.

The Taliban removed all roadblocks erected by warlords between Torkham and Kabul on one side and Chaman and Kandahar on the other. They opened up lines of communication. Trade and commerce began to flow freely. The irony is that, despite all these achievements, only three countries, Saudi Arabia, the UAE and Pakistan, recognised Taliban rule. The rest shunned the Taliban government because it was politically unacceptable to them. The wrong side had emerged victorious in the tussle for power and won the Great Game.

Robert McNamara, the brilliant secretary of defence for Presidents Kennedy and Johnson, helped lead America into Vietnam. McNamara believed that the fight against communism in Asia was worth the sacrifice of American lives, and yet he eventually came to believe that America had stumbled into a war - in which it lost over 58,000 men and women - that was unnecessary and unwinnable. “I want Americans to understand why we made the mistakes we did, and learn from them...,” McNamara wrote. “We failed then - as we have since - to recognise the limitations of modern, high-technology military equipment, forces and doctrine in confronting unconventional, highly motivated people’s

movements. We failed as well to adapt our military tactics to the task of winning the hearts and minds of people from a totally different culture. Where our own security is not directly at stake, our judgment of what is in another people's or country's best interest should be put to the test of open discussion in international forums," he wrote in *In Retrospect: The Tragedy and Lessons of Vietnam*. "We do not have the God-given right to shape every nation in our own image or as we choose. ...[W]e must recognise that the consequences of large-scale military operations - particularly in this age of highly sophisticated and destructive weapons - are inherently difficult to predict and to control.

Therefore, they must be avoided, excepting only when our nation's security is clearly and directly threatened...," he said. "Never deploy military means in pursuit of indeterminate ends. These are the lessons of Vietnam. Pray God we learn them!" McNamara's warning went unheeded.

After a decade of total neglect, Americans rediscovered Afghanistan. With the Soviets gone, it was now their turn to intervene. On Oct 7, 2001, the United States launched a powerful attack on Afghanistan in retaliation against the suspected terrorist leader Osama bin Laden, for the Sept 11 attacks in New York and Washington. The Taliban had not met US demands to turn over Osama Bin Laden and his Al-Qaeda militants. "Now," President Bush declared, "the Taliban will pay a price. We are supported by the collective will of the world..."

Not long ago, American officials were claiming a decisive victory and the administration was trumpeting the liberation of Afghan women from the clutches of the Taliban. But the proclamations of success were premature. Osama bin Laden and Mullah Omar are nowhere to be found. The enemy has no address and no flag, wears no uniform, stages no parades, marches to his own martial music. He requires no tanks.

He does not fear death. He is not in any hurry. Therein lies the dilemma of the world's only superpower: how to cope with an enemy that is physically weak but endowed with a fanatical motivation. Today the Taliban are in control of much of the country.

US foreign policy finds itself at the bottom of a slippery slope. It has assumed many of the very features of the "rogue nations" against which it has rhetorically, and sometimes literally, done battle over the years. The legitimacy of US action in Afghanistan has vanished. Public support for the war is slipping in the United States and Western Europe. Already, the Netherlands has pulled out its troops, the first NATO country to do so. The Canadian leave next. "A democracy cannot fight a seven years' war," Gen

George C Marshall famously said. For Americans to even consider several more years of fighting and dying in Afghanistan – at a cost of heaven knows how many more billions of American taxpayer dollars – is madness.

How long is it going to take for America to recognise that the war it so foolishly started is a fiasco – tragic, deeply dehumanising and ultimately unwinnable? How much more time, how much more money and how many more wasted lives is it going to take? One thing is clear. Peace and stability will never return as long as aggression continues and American soldiers remain on Afghan soil.

Instead of enacting a charade, America should turn the country over to a genuine international coalition headed by the United Nations, and get out. America has dug itself into a deep, deep hole. The least it can do in its own national interest is to follow the first rule of holes and stop digging. Playing the world's policeman is not the answer to the catastrophe in New York. Playing the world's policeman is what led to it.

Americans are sinking more and more deeply into the foetid quagmire of Afghanistan, and neither the president, nor Gen Petraeus nor anyone else has the slightest clue about how to get out. The counterinsurgency zealots in the military want more troops sent to Afghanistan, and they want the president to completely scrap his already shaky July 2011 timetable for the beginning of a withdrawal.

Getting into a war is generally a piece of cake. Getting out tends to be another matter altogether – especially when the Commander in Chief and his commanders in the field disagree on the advisability of doing so.

How will history judge American military involvement in Afghanistan, a most devastated, ravaged, country of demolished cities, starving and hungry people? It will certainly not go down in history as America's finest hour. Americans are, once again, on the wrong side of history. It reflects their profound ignorance of the history, culture and politics of Afghanistan and the complex personalities and motivations of their leaders. Americans fail to recognise the futility of trying to wage a modern war on an ancient civilisation that formed its identity by repelling invaders.

Surely, to no nation has fate been more malignant than to Afghanistan. The political testament Amir Abdul Rehman left to his successors in 1901 has not lost its relevance to this day. "Afghanistan," he said, "is a country that will either rise to be a strong, famous kingdom or will be swept altogether from the earth." Ninety-nine years after Abdul Rehman's death, the fate of Afghanistan, once again, hangs in the balance. I feel as sure as the sun will rise tomorrow that Afghanistan will rise again.



## How the dream was stolen

Saturday, October 09, 2010

There are, in my view, two factors that, above all others, have shaped Pakistan's history. One is the growing power of the military in running the affairs of state. The other, without doubt, consists in the total failure of the politicians, the intelligentsia, the intellectuals, the civil servants--in fact, the entire civil society--to comprehend the threat posed by a powerful army to the country's fragile democracy, and to devise ways and means to thwart it.

"Military coups," Alexis de Tocqueville warned more than 200 years ago, "are always to be feared in democracies. They should be reckoned among the most threatening of the perils which face [democracies'] future existence. Statesmen must never relax their efforts to find a remedy for this evil."

Mr. Jinnah was aware of the threat posed by the army. On the day of Pakistan's independence, Aug 14, 1947, Mr. Jinnah, who had just become governor general, scolded one young Pakistani officer. The officer had complained that, "instead of giving us the opportunity to serve our country in positions where our natural talents and native genius could be used to the greatest advantage, important posts are being entrusted, as had been done in the past, to foreigners. British officers have been appointed to head the three fighting services, and a number of other foreigners are in key senior appointments. This was not our understanding of how Pakistan should be run."

Mr. Jinnah was deliberate in his answer. He warned the officer concerned "not to forget that the armed forces are the servants of the people and you do not make national policy; it is we, the civilians, who decide these issues and it is your duty to carry out these tasks with which you are entrusted."

Months later, during his only visit to the Staff College in Quetta, he expressed his alarm at the casual attitude of "one or two very high-ranking officers." He warned the assembled officers that some of them were not aware of the implications of their oath to Pakistan and promptly read it out to them. And he added: "I should like you to study the constitution which is in force in Pakistan at present and understand its true constitutional and legal implications when you say that you will be faithful to the constitution. I want you to remember, and if you have time enough, you should study the Government of India Act (of 1935), as adapted for use in Pakistan, which is our present constitution, that the executive authority flows from the head of the Government of Pakistan, who is

Governor General, and therefore any command that may come to you cannot come without the sanction of the executive head." The supreme irony of the event is that the Constitution of Pakistan was to be abrogated or suspended by some of the officers present in Mr Jinnah's audience.

Marx once said: "Neither a nation nor a woman is forgiven for an unguarded hour in which the first adventurer who comes along can sweep them off their feet and possess them." Oct 7, 1958, was our unguarded hour when democracy was expunged from the politics of Pakistan, with scarcely a protest. I was deputy commissioner of Dera Ismail Khan when I heard over the radio that martial law had been declared and civilian governments dismissed.

Ayub Khan was now chief martial law administrator. The military regime heralded a successful revolution and was promptly recognised as a "basic, law-creating fact" by the Supreme Court. It gave the lie to all that I had been taught. "There can be no martial law in peacetime," we were told. The country was not at war, and was not sliding into anarchy. There was no civil commotion in the country preventing the judges from going to courts--an essential precondition for the imposition of martial law in peacetime, according to A V Dicey.

A telephone call from the local colonel asking me to report to him along with my superintendent of police brought me down to earth with a thud. Reality hit me like a ton of bricks. The colonel rattled off a string of directives for compliance within 24 hours: all unlicensed arms to be surrendered; all hoarded stocks of wheat to be unearthed; all prices, including the price of gold, to be controlled. I got back to my office late in the evening in a much chastened mood. The days of civilian supremacy were over.

We lost East Pakistan in 1971 because Pakistan was ruled by a military dictator. It is idle to speculate with the benefit of hindsight. But the war with India, the defeat of the Pakistani army, the humiliating spectacle of its surrender in Dacca (Dhaka), the loss of half the country, the long incarceration of our soldiers in Indian captivity, might have been avoided if Pakistan were a democracy in 1971. The politicians, left to themselves, would have muddled through the crisis and struck a political bargain. But for military rule, the history of Pakistan might have been different.

It is axiomatic that the army has no political role in any democratic country, whatever its form of government. But, for historical reasons, it has acquired this role in Pakistan which now appears to be irreversible, at least in the foreseeable future. Isn't it tragic that when strain develops between the pillars of state, it is the army chief who is called upon to act as a referee? In India, this role is played by the president who is strictly neutral and commands great respect. When the

country faces what is called “the deadlock of democracy,” the president acts as a referee, avoids becoming a participant or a partisan in the political power game. He is like an emergency lamp. When power fails in Delhi, the emergency lamp comes into operation. When power is restored, the emergency lamp becomes dormant. In Pakistan, the role of the army is like that of a fire-brigade. It rushes to the site of fire, extinguishes the fire, but instead of getting back to the station, it lingers on, tarries too long, gets involved in the management and administration of the house, and ceases to be a fire brigade.

Isn't it a great tragedy that 63 years after independence, political sovereignty in Pakistan resides neither in the electorate, nor the parliament, nor the executive, nor the judiciary, nor even the Constitution which has superiority over all the institutions it creates. It resides, if it resides anywhere at all, where the coercive power resides. In practice, it is the “pouvoir occulte” which is the ultimate authority in the decision-making process.

Today Pakistan is neither led nor governed. Who has betrayed the people? In the minds of ordinary folks, of course, it is the rulers--elected or unelected, in uniform or otherwise--who have done the betraying. At times, I want to buy a hundred bullets, use 99 on the architects of our national tragedy--corrupt politicians, bureaucrats, generals, and judges of the superior courts--all those who stole the

Pakistan dream--and save one for myself.

## **Bureaucracy: how the rot set in**

**Saturday, October 02, 2010**

Albert Guerard, the fiercely democratic French historian, once exclaimed: "So long as the bureaucrat is at his desk, France survives."

What is it that is holding Pakistan together? Is it the fake democracy? Is it our rubberstamp parliament? Is it the Potemkin political institutions dotting the country? Is it the coercive power of the state? Or, as in France, is it the bureaucrat at his desk who keeps the flag flying?

This is what the Father of the Nation had to say on the role of bureaucrats. "Governments are formed, governments are defeated, prime ministers come and go, ministers come and go, but you stay on. And, therefore, there is a very great responsibility placed on your shoulders. You are the backbone of the state," he remarked in an informal talk with civil servants in Government House, Peshawar, in April 1948. Mr. Jinnah's words still ring in my ears.

On the premise that Pakistan would encounter insurmountable problems in setting up the new state in the chaotic conditions that attended partition, it was decided that an official controlling the entire government machinery, working directly under Mr. Jinnah, the governor general, was needed for coordination and speedy decisions. Chaudhry Muhammad Ali was appointed secretary general. He was a very able officer with a long experience in the finance department of the Government of India, a man of prodigious energy and hard rightwing views.

By a cabinet resolution, the secretary general was given the right to direct access to all the secretaries and all the files. To reinforce his position, Chaudhry Muhammad Ali set up a "Planning Committee" (as distinct from the Planning Commission, which was to be set up in the mid-1950s), of which secretaries of all the ministries were members.

Through the mechanism of the Planning Committee presided over by the secretary general, the entire state apparatus was able to function as a unified machine under a single head, more or less, independently of the cabinet. The Planning Committee was, in effect, a "parallel cabinet" of civil servants, with the secretary general functioning as "prime minister".

With the assassination of Liaquat Ali Khan in 1951, and the elevation of Ghulam Muhammad to the high office of governor general, the post of secretary general was abolished. As a consequence, while in one respect the power of bureaucracy was consolidated through the governor general, since he was a former bureaucrat, in another respect it was made less effective, as it had now to be mediated through the cabinet. The political leadership now acquired greater significance, for the power of the bureaucracy could not be exercised without the manipulation of the political leadership and occasional confrontation with it.

The political leadership at the Centre resented Ghulam Muhammad's authoritarian methods and resolved to rein him in. In October 1954, proposals were introduced in the Constituent Assembly for the curtailment of the governor general's powers, in particular to abolish the arbitrary powers under the Government of India Act, 1935, which allowed him to dismiss any ministry, even if it enjoyed parliament's confidence.

Before these amendments could take effect, Ghulam Muhammad declared a state of emergency on Oct 4, 1954, dissolved parliament with a nod from the military and assumed full powers. Under the dubious "doctrine of necessity", the governor general's illegal act was given a semblance of legitimacy by a pliant superior judiciary.

Ghulam Muhammad then appointed a new cabinet. Muhammad Ali Bogra became prime minister in place of Khwaja Nazimuddin and Chaudhry Muhammad Ali was asked to carry on as finance minister. And the biggest surprise of all surprises, Gen Ayub Khan became defence minister, although he retained his position of commander-in-chief of the Pakistani army. Defence secretary Iskandar Mirza, Pakistan's eminence grise, became minister of the interior. These individuals, who essentially represented the power of the military-bureaucratic oligarchy, referred to themselves as the "Ministry of All Talents."

Initially, the army was a junior partner, but its power and influence increased rapidly through the 1950s. Ghulam Muhammad then turned to Gen Ayub Khan, asking him to take over power in the name of the army. Ayub Khan declined. He had his own plans and his own timetable and could afford to wait. The rest, as they say, is history.

During the last 62 years, the country has lived in a state of permanent political crisis. Governments rose and fell with dizzy rapidity, some lasting but a few months, and nearly all of them set up and soon overthrown as a result of trivial intrigues in the corridors of power or military interventions. All this weakened the Republic from the beginning and paved the road to disaster.

Amid so much political instability how could the Republic continue to function and its ephemeral governments manage the business of government? What held the country together more than anything else and enabled Pakistan to function tolerably well was the steady hand of the permanent establishment. It comprised various organs, run and staffed by permanent civil servants, which administered the law, the legislation passed by parliament and the acts and services of government. In its strange but steady exertions one can see much of the secret of the solidity and continuity of life in Pakistan despite the toppling of regimes, dictatorships, the execution of an elected prime minister. In the 20th century a good deal of this bureaucracy seemed to be an anachronism, an apparatus musty from age. In reality it was one of the foundations of the Republic.

Elected and unelected rulers would come and go, some of them whiling away much of their time in the West at the tax payer's expense. Parliaments might be suppressed; ministers might spend most of their time in their hometowns, or abroad, the permanent bureaucracy, the officials high and low, the deputy commissioners, the magistrates, the civil and criminal courts, the revenue officers, the lowly clerks, the postmen, the police officers manning the police stations, the engineers and doctors -- they saw to it that the machinery of government ground away.

Taxes were collected, accounts kept, justice dispensed, and public services and civil order for the most part maintained. Honest to a degree unknown or unpractised among the parliamentarians and cabinet ministers, industrious in a plodding sort of way and fairly efficient, possessed of a strong sense of public duty, of a remarkable esprit de corps, and of a pride in their professional code, but also woefully unprogressive and unresponsive to the demands of the evolving society, they were a pillar of the state. Like the French permanent establishment, they saw to it that the business of government got done even in the most chaotic moments.

Once the civil service was the backbone of the state. No longer. Successive governments have reduced public servants to the level of domestic servants. The service we inherited on independence, known for its integrity, objectivity and political neutrality, has over the years been thoroughly mutilated, demoralised, politicised, corrupted and changed beyond recognition, and is now a ghost of its former self.

Not surprisingly, when tragedy struck in the greatest flood in our history, one fifth of the country went under water and millions of people were rendered homeless, there was nobody to look after them. Elected representatives of the

people just vanished and were not to be seen anywhere. Civil administration was paralysed.

The lesson of history is that when the dykes of administration crumble, revolutions begin.

## Since Pakistan's first Aug 14

**Monday, August 16, 2010**

On Aug 14, 1947, I was a 24-year-old subordinate judge—full of idealism, hope and ambition. For me and for all those who belonged to my generation, Pakistan symbolised all our wishes and expectations.

On that day, over a century-and-a-half of British rule came to an end. The Union Jack was lowered for the last time. I saw the sun set on the British Empire in the subcontinent. It is not just that we had a great leader who seemed to embody in his determination a bright and different world as each person imagined it. We had entered a new era.

Mr. Jinnah could not have foreseen the tragic decline of Pakistan when he passed his flaming torch into the hands of his successors, or how venal those hands could be. Sixty-three years after Mr Jinnah gave us a great country, little men mired in corruption have captured political power and destroyed his legacy. If Mr. Jinnah came today and saw Zardari in occupation of his august office, he would say, "I am afraid I need to erase this and start all over again."

Zardari's handling of the current unprecedented flood crisis is horrendous. The response one would expect from the head of state never happened. He ignored the country's worst flooding in 80 years, a national disaster of epic proportions with thousands of lives lost and millions of people affected, in order to travel abroad and address a party meeting in Birmingham. He seems too indifferent, too callous, too insensitive on the television screen.

What is there to celebrate? Bloated dead bodies are floating down the rivers of Pakistan, reminiscent of the terrible cyclone which struck East Pakistan in 1970 with disastrous consequences. Millions have been displaced. Whole villages have disappeared. People have lost all their belongings. Zardari couldn't care less.

Sixty-three years after independence, we have a disjointed, dysfunctional, lopsided, hybrid, artificial, political system—a non-sovereign rubberstamp parliament, a weak and ineffective prime minister, appointed by a powerful accidental president. The federation is united only by a "rope of sand."

The independence of Pakistan is a myth. By succumbing to American pressure, we managed to secure a temporary reprieve. But at what price? Everyday American aircraft violate our airspace, and bomb our villages, killing innocent



men, women and children. In 2009 alone, the Americans killed 667 innocent men, women and children. With impunity, no questions asked, no protest, no expression of remorse from them. Today Pakistan is dotted with American fortresses, which seriously compromises our internal and external sovereignty. American security personnel stationed on our soil move in and out of the country without any let or hindrance. Pakistan has become a launching pad for military operations against neighbouring Muslim countries. We have been drawn into somebody else's war without understanding its true dimension or ultimate objectives. Nuclear Pakistan has been turned into an American lackey, currently engaged in a proxy war against its own people.

To no nation has fate been more malignant than to Pakistan. With few exceptions, Pakistan has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military dictators, political illiterates and carpetbaggers. After Benazir Bhutto's tragic assassination, Mr Zardari's sudden ascension to the Presidency caused panic and fear among people. His record since then hasn't exactly been an exercise in the glories of Pakistan's democracy.

We are saddened when we look back at all the squandered decades. Once we were the envy of the developing world. That is now the stuff of nostalgia. Pakistan has lapsed into languor, a spiritless lassitude. A sense of guilt, shame, danger and anxiety hangs over the country like a pall. It appears as if we are on a phantom train that is gathering momentum and we cannot get off. Today Pakistan is a silent, mournful land where few people talk of the distant future and most live from day to day. They see themselves as ordinary and unimportant, their suffering too common to be noted, and prefer to bury their pain. Today the political landscape of Pakistan is dotted with Potemkin villages. All the trappings of democracy are there, albeit in anaemic form. Parliamentarians go through the motions of attending parliamentary sessions, question hour and privilege motions, endless debates which everybody knows are sterile and totally unrelated to the people's real problems.

Why did Pakistan become a land of opportunities for corrupt, unscrupulous, unprincipled politicians, judges, generals and civil servants, smugglers and tax-evaders, who have bank accounts, luxurious villas, mansions, and apartments in the West? Why did Pakistan become a nightmare of corruption, crime and despair? Sixty-three years after it came into being, Pakistan is among the world's most badly governed and politically corrupt countries. Corruption is endemic and extends throughout all segments of society. It is made all the worse by a "culture of impunity." Why? The whys of history are never answered.

Too long have we been passive spectators of events. Today our fate is in our hands, but soon it may pass beyond control. A shout in the mountains has been

known to start an avalanche. We must call things by their names and shout louder. Let Pakistan be Pakistan again. Let it be the dream it used to be—a dream that is almost dead today. “From those who live like leeches on people’s lives” — who have robbed us of everything, our past, our present, our future and all our beautiful dreams — we must take back our land, and our money.

Many nations in the past have attempted to develop democratic institutions, only to lose them when they took their liberties and political institutions for granted, and failed to comprehend the threats, both internal and external, facing them. Pakistan is a classic example. Born at midnight as a sovereign, independent, democratic country, today it is neither sovereign, nor independent, nor even democratic. Today it is not just a “rentier state,” not just a client state. It is a slave state, ill-led, ill-governed by a power-hungry junta and a puppet government set up by Washington.

Where are the voices of public outrage? Where is the leadership willing to stand up and say: Enough! Enough! We have sullied ourselves enough. Why are we so passively mute?

How can we be so comatose as a nation when thousands of poor people are dying along the rivers of Pakistan before our own eyes? Millions are stranded without shelter, with nothing to eat and nothing to drink with nobody to look after them. When the history of these benighted times comes to be written, it will be noted that the Pakistani army and independent media, both print and electronic, were the only institutions which served the nation most meritoriously in its hour of greatest need.

The spontaneous demonstrations and outpouring of anger of the flood-affected people witnessed all over the world are ominous. With such ripples, do tidal waves begin? Who will tap the anger, the frustration and the resentment among millions of our people? Both military dictatorship and corrupt, fraudulent democracy, have failed them. The country is impoverished and humiliated. Democratic forms remain, but democracy itself is in effect dead or dying.

One man, one man alone, occupying the commanding heights of power, is responsible for the mess we are in today. Zardari is taking Pakistan to a perilous place. The course he is on leads is downhill. It is not enough to sit back and let history slowly evolve. To settle back into cold-hearted acceptance of the status quo is not an option.

## The illusion of power

Thursday, August 05, 2010

“Where ought the sovereign power of the state to reside?” asked Aristotle. “With the people? With propertied classes? With the good? With one man, the best of all, the good? With one man, the tyrant”?

The Preamble to the Constitution of the Islamic Republic of Pakistan says: “Whereas sovereignty over the entire universe belongs to Almighty Allah alone, and the authority to be exercised by the people of Pakistan through their chosen representatives [not fake-degree holds, not smugglers, not tax evaders, not criminals, not people corrupt from the bark to the core] within the limits prescribed by Him is a sacred trust.”

“The sovereignty of the English parliament from a legal point of view is the dominant characteristic of our political institutions,” wrote A V Dicey. The principle of parliamentary sovereignty, according to Dicey, means neither more nor less than this: that parliament has the right to make or unmake any law under the English Constitution, and, further, that no person or body is recognised by the law of England as having a right to override or set aside the legislation of parliament. It is a fundamental principle with English lawyers that parliament can do everything but make a woman a man and a man a woman.

It is now abundantly clear that whatever the constitutional position, *de facto* sovereignty in Pakistan (*Majestas est summa in civas ac subditos legibusque soluta potestas*—i.e., “highest power over citizens and subjects unrestrained by law, in the words of French Jurist Jean Bodin) resides neither in the electorate, nor parliament nor the executive, nor the judiciary, nor even the Constitution—which has superiority over all the institutions it creates. It resides, if it resides anywhere at all, where the coercive power resides. In practice, it is the *pouvoir occulte* which is the ultimate authority in the decision-making process in Pakistan. They decide when to abrogate the Constitution, when it shall be suspended, when elected governments shall be sacked, when an elected prime minister shall be handcuffed, led to Attock Fort and detained or hanged, and when democracy should be given a chance. The political sovereignty of the people is a myth. To apply the adjective “sovereign” to the people in today’s Pakistan is a tragic farce.

If any doubt remained as to the locus of ultimate power in Pakistan, it was removed when, after the death of Ziaul Haq, the army decided after internal

discussion not to impose martial law, and asked Senate chairman Ghulam Ishaq Khan to assume office as acting president. The Constitution provided that in the event of the death of the president the chairman of the Senate becomes acting president. But this didn't happen. The news was withheld for over three hours. For three hours, the country was without a president and the Pakistani army without its chief. The question of succession had been foreseen in the Constitution. Its provisions were unambiguous. But the constitutional path was not automatically followed.

What conclusions should be drawn from this analysis of our political history can be summed up in one sentence: it is the "sound of heavy boots ascending the stairs and the rustle of satin slippers coming down."

1. That the army is a permanent reality in the politics of Pakistan and is likely to remain so in the foreseeable future.
2. That the sword of martial law or political intervention by the army, by whatever name it is called, will continue to hang over all our democratic institutions, as has been the case throughout our troubled political history.
3. That le pouvoir will continue to play its traditional role of a "referee" with a strong whistle in the political power game in Pakistan.
4. That, unless people are willing and prepared to defend their political institutions and authentic democracy, the highest power over citizens, will continue to reside where the coercive power resides today.
5. That it is unrealistic, naive and quite unfair to expect the judges alone to uphold the supremacy of the Constitution and confront the army when no other pillar of state and no political party is willing to do so. Who was there to defend the Supreme Court when it was assaulted by Gen Musharraf?
6. And, most important of all, that today no major policy decision, in domestic or foreign affairs, can be taken without the approval of the army.

Will it ever be possible for Pakistan to break out of this vicious cycle of corrupt political governments, followed by military dictators who usurp power for power's sake, and leave behind a splintered, ruined country torn by conflict, hijacked by thugs and robber barons, and in doubt about its future? Each of them started with a blank cheque of goodwill and popular enthusiasm from the people of Pakistan, and each of them ended with a bankruptcy of moral and political support, leaving the country in worse condition than he found it in.

“What would General Washington do,” King George III asked Benjamin West, the artist. Washington had won his historic victory at Yorktown over the British in the American War of Independence. West said he believed Washington would give up his uniform and retire to Mount Vernon. “If he does that,” the monarch replied, “he will be the greatest man in the world.” That is exactly what Washington did. When he was urged by his officers not to take off his uniform and become America’s king at the conclusion of the War of Independence, he replied in the most acrimonious language that he found such an idea preposterous and repugnant. Instead, he drew out from his bosom his army commission, delivered it up to the president of Congress and laid down his weapon. This was his finest hour. Washington won the affection of the American people and that of the world by giving up his uniform and relinquishing power. He told Congress that he was a citizen-soldier who fervently believed in the supremacy of civilian rule. A grateful nation elected him as the first president of independent America.

Gen Kayani should follow Gen Washington’s noble example, give up his uniform in November and go home. That would be Kayani’s finest hour.

## **A carnival atop a volcano**

**Friday, July 30, 2010**

In the farcical system we have today, things are not what they appear to be. Realism does not exist in Islamabad because life in Islamabad is itself a fiction. The Constitution says one thing. What happens on the ground is something quite different. Behind the constitution, there is an unwritten constitution which governs the state.

Prime Minister Gilani, known for his sartorial elegance, is obsessed by externals and is addicted to appearances with a passion for clothes, collar and cuff. He shocked the nation when, just before midnight on July 22, he appeared on television, looking quite bedraggled, visibly nervous, overwhelmed by the “momentous” decision he was about to announce. His address lasted for a little more than two minutes. All he wanted to tell his people was that he had decided to extend Army Chief Kayani’s term by three years in recognition of his services to the nation or words to that effect! Many questions come to mind. Gilani says it was a simple administrative matter. If so, why did he have to make the announcement on TV at that late hour in such a terrible hurry? Was it his own decision? Was it the supreme commander’s decision? Was it their joint decision? My answer is no. Everyone knows where such decisions are made. Everyone knows where the true pole of power lies in this country. But more of that some other time.

These are dangerous times in our country. These are also anti-elitist times. Angry mobs are howling for retribution. Pakistan is seething in ferment and in disarray. This is dangerous. Under an imbecile and feeble government, as we have today, there is but one step from discontent to revolution. A sad situation, but true. The country appears to be adrift. Nobody knows where it was headed without wise and mature leadership to guide or direct it. Pakistan, a fractured and despondent society, unable to imagine a decent future for itself as it plunges into listless desperation and radicalisation, stands on the edge of the abyss. Signs of danger abound, but like the proverbial boiling frog, we seem unable to rouse ourselves. In our political life, we wait until things reach the emergency room.

What is most intriguing is that the rhythm of life remains, more or less, unchanged. “Everything seems”, as Goethe said, “to be following its normal course because even in terrible moments in which everything is at stake people go on living as if nothing were happening”. In Pakistan, as in geology, things can look perfectly stable on the surface - until the tectonic plates shift underneath.

The straws in the wind are there. Time will show whether there are enough of them to make a bale of hay.

Sixty-three years after independence, are we really free? Are the people masters in their own house? I am deliberately putting the case with all its bluntness to highlight what is at stake. Today say "Pakistan" and what comes to mind – military coups, sham democracy, an accidental and powerful president, a non-sovereign rubber-stamp parliament, and a ceremonial prime minister. Today Pakistan is not just a "rentier state", not just a client state -- it is a slave state, ill-led, ill-governed by a power-hungry junta and a puppet government set up by Washington.

If you want to see the chasm between the grotesquely rich and the abject poor, come to Pakistan. The privileged few own the country and all the sources of life; the rest just pray or die. Pakistan today is a land of opportunities for corrupt, unscrupulous, unprincipled politicians holding fake degrees, dishonest civil servants, smugglers and tax-evaders who have bank accounts, luxurious villas, mansions and apartments in the west. A great divide, a yawning chasm – some call it a new Iron Curtain – separates them from their less fortunate countrymen, whose life is "nasty, brutish and short". They have a stake in the status quo or the system as they call it. While life at the top gets cushier, millions of jobless people and those at the bottom of the social ladder are forced to resort to crime merely to survive. Many of them are fleeing the country and desperately trying to escape to the false paradises of the Middle East and the west. The rich are getting richer, while the poor are sinking deeper and deeper into a black hole of abject poverty.

If you want to see how a free nation is stifled by authoritarian corrupt rulers through its own apathy and folly, visit Pakistan. Today Pakistan – battered, its pride bruised – is a pretty pessimistic place. One by one, the lights are going out. But there is still time for those to whom liberties, supremacy of parliament, the rule of law, the independent judiciary, democracy and civilian government mean something, to get together to decide how to meet this challenge. Submission to corrupt rulers is no option. I call it treason. The strong are strong because we are on our knees. All the philosophers tell the people they are the strongest, and that if they are sent to the slaughterhouse, it is because they have let themselves be led there. Tyranny is retreating everywhere except in Pakistan. The rule of law marching everywhere except in Pakistan.

One man, one man alone, my countrymen, is responsible for the mess we are in today. Zardari is the fault line that has fractured our country. Corruption at the summit of power is eating away the fabric of the nation. Zardari is at the apex of a deeply corrupt state apparatus. But he feels confident that as long as the army

could be relied upon, the Supreme Court or public discontent presented no real danger to his rule. Time will show. We have to wait and see. The world failed to foresee the tidal pull of events in 1979 that swept away the Shah of Iran. The Iranian army, one of the best in the region, could not save him or itself from the wrath of the people. The world may soon see this historic event repeating itself in Pakistan.

The state of things has been so insufferable that one longs for it to be decided, as it must be now, one way or another. Unfortunately, the tyranny of the status quo is too strong and only a major crisis can produce a real change. When we organise with one another, when we get involved, when we stand up and speak out together, we can create a power no government can suppress. We live in a beautiful country. But people who have nothing but contempt for the people and no respect for democracy, freedom or justice have taken it over. It is up to all of us to take it back. And as Margaret Mead said, 'Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it is the only thing that ever has'. Those who support the corrupt order are standing against the irrevocable march of history and are doomed to failure.

Who is in charge of this sad country today? I recall from my memory some lines from an unknown writer about a railway accident:

Who is in charge of the clattering train / And the pace is hot, and the points are near / And Sleep has deadened the driver's ear / And the signals flash through the night in vain / For Death is in charge of the clattering train.

I end this article with one of Prime Minister Chou en Lai's poems written in the early days of the struggle when Chinese faced similar problems as we do in Pakistan today. A whirlwind pounds / Our heartsick land / The nation sinks / And no one minds.

Look where the Chinese are today. Citizens! No nation on earth has ever maintained its independence or its political institutions without a struggle.



## **A crisis of the system**

**Thursday, July 15, 2010**

Just when you thought our situation couldn't get worse, the Punjab Assembly managed to get it down another notch. All the MPAs, without exception, from one end of the political spectrum to the other, ganged up against the media and unanimously passed a resolution condemning it for exposing fake degree holders! President Zardari and his government are already at war with the Supreme Court and seem determined to defang it. Now, in a rare display of unity, all the political parties closed ranks and were gunning for the media. This is not surprising because no corrupt or authoritarian ruler, elected or un-elected, can afford an independent judiciary or an independent media. No wonder, both are under attack in the democratic Pakistan today.

Freedom of the press is one of the bulwarks of modern civilisation. Newspapers are the cement of democracy. Their freedom from government control, direct or indirect, is essential for a democratic society. Of all the sentries posted by the constitution of a free country to stand guard over its freedoms, the most vigilant is the media. If it is removed, or hoodwinked, or thrown in fetters, arbitrary power and slavery take over. It is then too late to think of preventing or avoiding the impending ruin.

The duty of a journalist "is to obtain the earliest and the most correct intelligence of the events of the times, and instantly, by disclosing them, to make them the common property of the nation. The press lives by disclosures. It is bound to tell the truth as it finds it, without fear of consequences – to lend no convenient shelter to high-level corruption or acts of injustice and oppression, but to consign them at once to the judgment of the world".

The press is, par excellence, the democratic weapon of freedom. News allows people to judge for themselves whether the people they voted into office merit their trust. Honest news is essential to ensuring that people know what their soldiers are doing in Waziristan as much as what their politicians are doing in their boudoirs. News, independently gathered and impartially conveyed, is an indispensable commodity in a society where the people rule themselves. Without the free circulation of news, there could be no free press and without a free press, there can be no free democracy. As Rebecca West put it, people need news for the same reason they need eyes – to see where they are going.

The state of the federation would stun someone who went to sleep in 1948 and awakened in the present. On August 14, 1947, we thought we had found freedom, but it has turned out to be another kind of slavery. The independence of Pakistan is a myth. Pakistan is no longer a free country. Today it is not just a "rentier state", not just a client state. It is a slave state with a puppet government set up by Washington.

It is torture to live in an un-republican republic. Today Pakistan, a camouflaged, thinly disguised civilian dictatorship, is a land of opportunities, heaven for a handful few and hell for countless millions of poor people. It is a paradise for gangsters, swindlers, smugglers, tax evaders, fake degree-holders and so on and so forth - all the dregs of humanity.

All the pillars of state, with the exception of the Supreme Court and the media, are dysfunctional. The president, the symbol of the unity of the federation, is totally indifferent to public welfare and is interested only in protecting himself and his ill-gotten wealth. Parliament, the so-called embodiment of the will of the people, is fake like a Potemkin village. It is deaf and blind to the anguished cries rising from the slums of Pakistan - Misery! Give us bread! Give us drinking water! Give us light! Give us the right to live! Its "stunning" performance fascinates only a few enlightened souls; whereas nine out of ten Pakistanis are totally indifferent and unaware of its existence. Quite a few members of this august body are fake degree holders. They concealed the truth, misrepresented their qualifications and managed to enter parliament through shameless, blatant lies and deceitful means. Instead of masquerading as chosen representatives of the people, they should all be tried and sent to prison.

We have a disjointed, dysfunctional, lopsided, hybrid, artificial, corrupt political system - a non-sovereign rubber stamp parliament, a weak and ineffective prime minister, the epitome of self-satisfied mediocrity, who changes his public statements as often as he changes his designer suits. Not surprisingly, Pakistan is rudderless and sliding into darkness. It is like a nightmare in which you foresee all the horrible things which are going to happen and can't stretch out your hand to prevent them. Such is the feeling conjured up by the corrupt rulers of Pakistan as it enters a period of great uncertainty and sinks deeper and deeper into the quagmire.

There are periods in history which are characterised by a loss of sense of values. The times we live in are preeminently such an age. If you want to see a free nation stifled by inept, corrupt rulers, through its own apathy and folly, visit Pakistan. The great French thinker, Montesquieu, said in the 18th century: "The tyranny of a Prince in an oligarchy is not so dangerous to the public welfare as the apathy of a citizen in a democracy". An irresponsible inept, corrupt,

government is the inevitable consequence of an indifferent electorate. Politics will never be cleaner in this country, unless and until citizens are willing to give of themselves to the land to which they owe everything". Today apathy is the real enemy. Silence is its accomplice. "The thing necessary," Edmund Burke once said, "for the triumph of evil is for good people to do nothing".

"Were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter," Jefferson wrote in 1787. If a referendum on this question were held in Pakistan today, millions of Pakistanis would, I am sure, opt for a free, independent media.

Both the government and the opposition have declared war on the media. This is an alarm call of the most compelling time and is ominous. The fear of conspiracy against the independent judiciary and independent media hangs heavy in the air. Our history can show no precedent for so foul a plot as that which the corrupt politicians of Pakistan have hatched against the two pillars of state.

It is time to turn the page. The time to hesitate is through. This is a moment of great hope for Pakistan. Don't let it turn into a national nightmare. In this transcendent struggle of the Supreme Court and the media against fake democracy, neutrality is not an option. You're either with the people or against them. There is no half-way house. Every citizen must ask himself now: if our core institutions are to survive, if Pakistan is to survive, whether we can afford to let our corrupt rulers remain in power and destroy all our core institutions.

How will this crisis pan out? Either this is a cyclical crisis in the system and it will soon resolve itself, or else it is a crisis of the system and we will soon witness the passage of one epoch to another. Whether the distortions, conflicts and resentments that exist in our society today are peacefully resolved or explode in revolution will be largely determined by two factors: the existence of dynamic democratic institutions able to redress grievances through legislation and the ability of intellectuals to transform a local fire into a nation-wide conflagration and fan the flames of social discontent and transmute specific grievances into a wholesale rejection of the existing order.

One thing is certain. For anything to change in this country, everything has to change.

## Lessons from a revolution

Tuesday, July 06, 2010

On July 3, 1776, one day before the United States came into being, John Adams wrote to his wife, Abigail: "Yesterday, the greatest question ever debated in America was decided, and a greater one, perhaps, never was nor will be decided among men. A Resolution was passed without one Colony's dissent 'that these united colonies are, and of right ought to be, free and independent states, and as such they have, and of right ought to have, full power to make war, conclude peace, establish commerce and do all other acts and things which other states may rightfully do'". On July 4, 1776, the Congress at Philadelphia adopted the historic Declaration of Independence, drafted mainly by Jefferson. It was the expression of the "American mind". The time to separate from the mother country had arrived. The umbilical cord had to be cut. The die was cast.

When America was engaged in the most just of struggles, that of a people escaping from another people's yoke, and when it was a question of creating a new nation in the world, outstanding men came forward to lead the country. Three Americans, George Washington, John Adams and Thomas Jefferson - all conservative members of the colonial elite turned revolutionaries, set the world ablaze and changed the course of history. These three men, more than any other, helped end British rule. They transformed His Majesty's American colonies into a Sovereign, independent country.

The preamble of the Declaration asserts that under certain circumstances, revolution is justified. Governments must rest upon "the consent of the governed", for they are set up to protect certain rights - "Life, Liberty and pursuit of Happiness". It was a revolutionary document in the sense that it justified a revolution which had already begun. Years after the colonies had won their independence, John Adams noted that "the revolution was effected before the war commenced. The revolution was in the minds and hearts of the people". The loyalty of Americans had been undermined by years of struggle and agitation before the first shot was fired at Lexington.

"All men are created equal", the Declaration asserts but Jefferson and the others were not thinking of those who owned no property or slaves - those who were themselves owned property. They were not thinking of women either. It took American democracy - the greatest democracy in the world - 86 years

to abolish slavery, 144 years to enfranchise women and 189 years to assure the black people the vote! "What to the slave is the Fourth of July"? The black orator Frederick Douglass would ask in 1852 in an Independence Day oration and would answer that "your high independence only reveals the immeasurable distance between us... You may rejoice. I must mourn". At the time of Independence African - Americans accounted for 20 per cent of the entire population of 2.5 million colonists, rising in Virginia to as much as 40 per cent. Jefferson's attempt to incorporate a paragraph attacking slavery in the Declaration of Independence was struck out by Congress! Today, Obama, an African-American, is the President of the United States of America! A black family occupies the White House. A new dawn had arrived or so we thought. How wrong one can be?

Independent America, it was hoped, would become an "Asylum for mankind", and offer refuge to the world's oppressed. Like a shining beacon, America, it was hoped, would herald the "birth of a new world", the beginning of an epoch in which humankind across the earth could "begin the world over again". Alas! This was not to be. The American dream has turned sour. Two hundred years ago, America caught the imagination of the world because of the ideals it stood for. Today its example is tarnished with military adventurism and conflicts abroad. Today America is symbolized not in the Statue of Liberty but the naked black hooded Iraqi man connected with wires setup on a box by his American perpetrators. The photo of this naked, hooded, wired, Iraqi prisoner, standing on a box after having been told he would be electrocuted if he stepped or fell off, may well become the lasting emblem of this cruel, unjust war, much as the photo of a naked, fleeing, napalmed little girl became the emblem of the Vietnam war. In the past, some envied America, some liked America, some hated America but almost all respected her. Very few respect America today. They all fear America. Today Muslims perceive America as the greatest threat to the World of Islam since the 13th century.

"One of the great lessons", British historian Paul Johnston wrote, "is that no civilization can be taken for granted. Its permanency can never be assured. There is always a dark age waiting for you around the corner if you play your cards badly and you make sufficient mistakes". Today America seems to be experiencing what Toynbee called "the dark night of the soul". Today America has lost the high moral ground it once occupied. It stands alone in the comity of nations, forsaken by most of its erstwhile friends and allies. There was a time when great causes pushed America to great heights that would not otherwise be achieved. That is no longer the case. Before there were three faces of America in the world - the face of Peace Corps, the face of multi-nationals and the face of US military power. The balance has gone wrong lately. And the only face of America the world sees now is the one of military power. Today free people are not

looking to America for guidance in constructing another world order. Today their greatest fear is not America's withdrawal from the world but its overweening involvement in it. This is certainly not America's finest hour.

Today American troops are scattered around the world from the plains of Northern Europe to the mountains of Afghanistan and the plains of Iraq in search of a phantom enemy, bombing and killing innocent Afghan and Iraqi men, women and children. Though it rejects imperial pretensions, it is for all its protestations, perceived in the world as peremptory, domineering and Imperial. Its actions in Afghanistan and Iraq are perceived as part of an open-ended empire-building plan with geo-strategic goals. Under this plan, the United States would acquire a permanent military presence in Afghanistan and Iraq for projecting its power in central Asia, South Asia, Middle East and the Persian Gulf.

The farewell address of George Washington will ever remain an important legacy for small nations like Pakistan. He cautioned that "an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter". The strong might have interests and objectives that could be of little real importance to the weak; but once the latter submitted to acting the role of a satellite, it would find it no easy task to avoid being used as a tool by the strong". It is folly in one nation, George Washington observed, to look for disinterested favours from another...it must pay with a portion of its independence and its sovereignty for whatever it may accept under that character. No truer words have been spoken on the subject. If you want to know what happens to a small country which allows itself to be attached to a powerful country like America, well, visit Pakistan.

## Heading for the dead end

Tuesday, June 29, 2010

Our moment of truth has arrived. For Pakistan the hour has struck. To borrow the prophetic words of Dostoevsky, "I have a presentiment of sorts that the lots are drawn and accounts may have to be settled far sooner than one might imagine in one's wildest dreams".

Terror is the order of the day. Pakistan is experiencing the warning tremors of a mega political and economic earthquake. Today all the symptoms which one had ever met within history previous to great changes and revolutions exist in Pakistan. Pakistan no longer exists, by that I mean the country of our dreams, our hopes, our pride. Today a moral crisis is writ large on the entire political scene in Pakistan. The Pakistan dream has morphed into the Pakistan nightmare. The country is in deep, deep trouble. This is the darkest era in the history of Pakistan since 1971. The independence of Pakistan is a myth. Pakistan is no longer a free country. It is no longer a democratic country. American military personnel roam all over the country without let or hindrance. They violate our air space with impunity, bomb our tribal area, and kill innocent men, women and children with the full approval of our democratic government.

We were once the rainbow nation, the world's greatest fairytale. We were a nation founded on laws and rules. What Zardari has done is essentially to throw away the Constitution, defy the Supreme Court and say that there are some people, no matter how corrupt, who are beyond the Constitution, beyond the law, beyond scrutiny, totally unaccountable. People are naturally filled with anger and angst. If you believe in democracy and the rule of law and sovereignty of the people, you would not be anything other than angry, living in the current day and age.

"Every country has its own constitution", one Russian is alleged to have remarked in the 19th century. "Ours is absolutism moderated by occasional assassination". The situation is not so very different in Pakistan. Two years after Bibi's assassination, the mystery surrounding her death remains unresolved. Nobody knows who killed her. And nobody seems to care. In democracies, constitutional amendments are especially solemn moments. In Pakistan they are easier than changing the traffic regulations.

Pakistan has lapsed into languor, a spiritless lassitude. A sense of guilt, shame, danger and anxiety hangs over the country like a pall. It appears as if we are on a

phantom train that is gathering momentum and we cannot get off. Today Pakistan is a silent, mournful land where few people talk of the distant future and most live from day to day. They see themselves as ordinary and unimportant, their suffering too common to be noted and prefer to bury their pain.

Today the political landscape of Pakistan is dotted with Potemkin villages. All the trappings of democracy are there, albeit in anaemic form. Parliamentarians go through the motions of attending parliamentary sessions, question hour, privilege motions, etc. endless debates which everybody knows are sterile and totally unrelated to the real problems of the people. Everybody knows where real power resides. Everybody knows where vital decisions are made.

One of the lessons of history is that when people lose faith in their rulers, when they lose faith in the sanctity of the ballot box, when elections are rigged and votes are purchased; when the gap between the rulers and the ruled widens; when there are no ways for people to express political preferences from time to time in an atmosphere free from fear, coercion, or intimidation; when known corrupt people, tax evaders and smugglers are foisted upon a poor, illiterate electorate unable to make an informed political choice, and raised to the pinnacle of power; when elections throw up not the best, not the noblest, not the fittest, not the most deserving but the worst and a legion of scoundrels, and most important, when hunger and anger come together, people, sooner or later, come out on to the streets and demonstrate Lenin's maxim that in such situations voting with citizen's feet is more effective than voting in elections.

What point is there preaching democracy to men, women and children dying of hunger or on the verge of committing suicide? What use is a ballot paper to skeletons? Hungry men have little to live for when their rage becomes ineffective. When one is tired of everything, it is time to give up everything. The calculation is as simple as that. A disgust for life is their sole reason for ending it.

Today we have a disjointed, dysfunctional, lopsided, hybrid, artificial, corrupt political system - a non-sovereign rubber-stamp parliament, a weak and ineffective prime minister, appointed by a powerful accidental president facing corruption charges at home and abroad. Not surprisingly, Pakistan is rudderless and sliding into darkness. It is like a nightmare in which you foresee all the horrible things which are going to happen and can't stretch out your hand to prevent them. Such is the feeling conjured up by corrupt rulers of Pakistan as it enters a period of great uncertainty and sinks deeper and deeper into the quagmire.



We live in a miserable age of charlatans and mediocrity. In this desert of talent and virtue, Chief Justice Iftikhar Chaudhry has emerged as a brief candle of courage, goodness and patriotism. Today the only ray of hope is the Supreme Court. People must rally round it and defend it; the first threats of counterrevolutionary activity have already begun to appear. Attempts are being made to subvert the people's will and overturn the judicial revolution. If people won't even speak up in its defence, the present corrupt order will acquire the mantle of legitimacy and permanence. Today it is a political and moral imperative for all Pakistanis to fight for our liberties and be prepared to face all consequences.

I, like many, see Pakistan heading for the dead end. Who is there to lead us out of the hole the present rulers have dug? Do leaders make history, or do events take control and determine the course of history? "Do you think that history is changed because one individual comes along instead of another?", Oriana Fallaci asked Willy Brandt. "I think that individuals play a definite role in history", Willy Brandt replied, "But I also think that it's situation that makes one talent emerge instead of another. A talent that already existed... If the individual and the situation meet, then the mechanism is set off by which history takes one direction instead of another". Today Pakistan is ripe for profound changes. The current situation is too severe to be treated with painkillers. It has reached a stage when surgery is required. The day is not far off when words will give way to deeds. History will not always be written with a pen.

Is this one of those moments of history when all that is needed is for someone to push open a door? The answer is yes and yes again. When a nation is in crisis, as Pakistan is today, it needs a man to match the crisis. Cometh the hour, cometh the man. The hour will find the man.

## **The unmistakable mood**

**Monday, June 14, 2010**

If you want to know how a country can survive despite its leadership, despite its government, well, visit Pakistan. Democracy is a splendid conception but it has the disadvantage, on occasion, of placing in the lead men whose hands are dirty, who are mired in corruption, who will sap the strength of their country, not in years but over a period of months. The idea that you can just hold election, fair or unfair, while everything remains colonial, feudal and medieval, means you won't get democracy but some perversion of it as we have today in this country.

Elections are necessary but not sufficient. Elections alone do not make a democracy. Creating a democracy requires a free and independent country, an inviolable constitution, a sustained commitment to develop all the necessary elements: a transparent executive accountable to parliament, a powerful and competent legislature answerable to the electorate, a strong, independent judiciary, and a free and independent media. To assume that vote alone will automatically bring about a democratic metamorphosis would be to condemn Pakistan to a repeat of the cycle seen so often in our history: a short-lived period of corrupt, civilian rule, a descent into chaos and then army intervention.

Harold Macmillan, the British prime minister, was once asked by a young journalist what he feared most in politics. "Events, dear boy, events," he responded. For Pakistan events are coming thick and fast: an ongoing, highly unpopular war against our own people in the tribal area, daily American drone attacks on our soil, killing innocent men, women and children, target killings in Karachi, massacre of Ahmedis in Lahore, total breakdown of law and order in the backdrop of spiralling inflation, driving thousands of angry protestors to take to the streets almost everyday. Their demand: nothing more than provision of basic necessities of life and the right to live. On top of all this, came a catastrophe of epic proportions in Hunza, caused by a landslide which has blocked the entire flow of the Hunza River, threatening everything in the valley all the way down to Tarbela.

Crisis is a crucible in which governments, residents, prime ministers and other politicians are tested as nowhere else. The response one would expect from the head of state never happened. He seems too indifferent, too callous, too insensitive on the television screen. What is worse, he stayed away from the scene of this great human tragedy and did not bother to visit it even once.

Hurricane Katrina defrocked a faith-based Bush. The Hunza crisis has similarly unmasked President Zardari.

What is it that people really expect from their president when a disaster strikes? The people expect the occupant of the presidency to keep hope alive, to assure them that they will survive; that they will get through it. He has to react promptly, direct recovery and mobilise resources. Above all, he must inspire confidence because everybody looks up to him in a national crisis. And so he has to be that larger-than-life figure. The change in intensity in the news media – cable channels are broadcasting round-the-clock pictures – has sharply increased the pressure on the president and his administration. In such a situation, people want and expect more of a personal connection. That did not happen.

People still remember how General Azam handled the flood crisis in East Pakistan. He struck a human chord and won over the hearts of the people. They loved Azam and still remember him with affection. In stark contrast, President Zardari looked so cold, so unconcerned, so indifferent, so distant, so wooden and so bureaucratic. Nothing about the president's demeanour – which seemed casual to the point of carelessness – suggested that he understood the depth of the crisis.

And what of Prime Minister Yousuf Raza Gilani? The less said the better. He visited the affected area on May 21, 2010, five months after the massive landslide. After an aerial visit of the 19km long artificial lake, he told reporters that the disaster reminded him of the problems Pakistan had to face during partition when it had to face a sea of incoming refugees. With that Gilani turned his back on Hunza and never went there again. His visit drew sharp criticism from the affected people who dismissed it as a crude PR exercise. No wonder, in public perception, Gilani is speedily becoming a more or less honorary prime minister, living in a kind of twilight just outside the things that really matter.

Isn't it a great tragedy that at a time when the nation is battling the forces of nature in Hunza, Pakistan's democracy is in limbo, parliament is paralysed and the opposition languishes in torpid impotence. The constitution is a figment; all civil and political institutions, with the exception of superior judiciary, remain eviscerated. All power is still concentrated in the hands of President Zardari. He wields absolute power without responsibility and is accountable to none. Nothing moves without his approval.

At a time when the country is at war, Mr Zardari, the supreme commander, spends almost his entire existence in the confines of a bunker – his macabre domicile which he seldom leaves these days. Mortally afraid of his own people and the sword of the NRO judgment still hanging over his head, he is more

concerned about protecting himself and his wealth rather than protecting the country or the people of Pakistan.

Today the political landscape of Pakistan is dotted with Potemkin villages. All the pillars of state, with the exception of the Supreme Court, are dysfunctional. Pakistan sits between hope and fear. Hope because “so long as there is a judiciary marked by rugged independence, the country and the citizen’s civil liberties are safe even in the absence of cast-iron guarantees in the constitution”. Fear that in spite of a strong and independent judiciary, the present corrupt order will perpetuate itself because both the president and parliament are in collusion and out of sync with the spirit of the times.

Pakistan is in deep, deep trouble and is going down the tube. The ‘wechselstimmung’ or the mood for change is unmistakable.

## **The status quo is no longer an option**

**Thursday, May 20, 2010**

A perfect storm is looming on the horizon. Islamabad is once again preparing for a collision between those who stand behind the Supreme Court -- the defender of the Constitution, the rule of law, the protector of citizen's liberties -- and those whose hands are dirty, who have looted and plundered the resources of this poor country.

Three years ago, a judicial earthquake remade the political terrain of our country. On March 9, 2007, to be exact, began a new epoch in the history of Pakistan. On that day Chief Justice Iftikhar Chaudhry defied the military dictator and refused to resign. In Pakistan, the Supreme Court's historical role has been one of subservience to military dictators. Chief Justice Chaudhry broke with the past tradition and changed all that. The nexus between the generals and the superior judiciary has snapped. An era of deference by the Supreme Court to the executive has given way to judicial independence. Isn't it ironic that today the people of Pakistan, especially the poor, the disadvantaged and the voiceless, expect justice not from parliament, not from the presidency, not from the prime minister, but from an unelected and unaccountable Supreme Court? For once, the citizens of this benighted country have been assured that there is such a thing as true accountability. They have the comfort of knowing that those who have grown fat and rich on ill-gotten gains at the cost of starving millions can be brought to book and shall be brought to book.

No military dictator and no corrupt civilian ruler can afford an independent judiciary or an independent media. They cannot co-exist. It is not enough to sit back and let history slowly evolve. To settle back into your cold-hearted acceptance of the status quo is not an option. The present leadership is taking Pakistan to a perilous place. The course they are on leads downhill. This is a delicate time, full of hope and trepidation in equal measure. Today it is a political and moral imperative for all patriotic Pakistanis to fight for our core values.

Ultimately, the true guardians of the Constitution are the people of Pakistan. People power alone can protect the Supreme Court from corrupt rulers. Our rulers know that the street is all they have to fear. Confronting them has now become a patriotic duty. Today there is no other path for our country, but the one, which led to the restoration of Chief Justice Iftikhar Chaudhry and other

deposed judges. In this transcendent struggle between the Supreme Court and kleptocracy, neutrality is not an option. You're either with the people or against them. There is no half-way house. As we approach the endgame, the nation has to decide between two conceptions of politics, two visions for our country, two value systems, two very different paths. Every citizen must ask himself now: if our core institutions are to survive, if Pakistan is to survive, whether we can afford to let our corrupt rulers remain in power and destroy all our core institutions.

Today the Pakistan stage is clogged with bad actors playing lousy parts from commanding heights. Too many conflicting agendas. Too many egos. Too many so-called leaders with dirty hands. Major absentee on the stage: the people of Pakistan, barely mentioned by anyone. How can corrupt rulers occupy any place in the political order of Pakistan? This is equivalent to asking what place should be assigned to a malignant disease which preys upon and fractures the body of a sick man.

Every democracy needs a vigorous and vigilant opposition to give voters a choice. I have never seen an opposition so nonplussed, so impotent, so clearly without a shot in the locker. Today we have no opposition party, worth the name, with its own pathway to the future. As Hazlitt put it, "The two parties are like two competing stage coaches which splash each other with mud but went by the same road to the same place". This doesn't mean we have no opposition.

Today there is an intense anxiety on the part of ordinary people for decisive leadership. People are waiting for a stirring lead and a clarion call. It seems that while the nation craves for leadership, political leaders are equally determined not to lead them. Is it because they are all status-quo friendly and do not want to rock the boat? Isn't it a great tragedy that today the destiny of Pakistan is in the hands of its reluctant leaders who refuse to draw the sword people are offering them?

What prevents the opposition parties and their leaders from joining hands and presenting a united front against corrupt rulers out to destroy all our core institutions? What prevents them from taking to the street as they have in other countries and as they have in the past in this country? What prevents them from putting national interest above petty selfish interest? Today we are at the crossroads of a historic choice. This is the last chance, the last battle. If we do not stand out into the streets, a long polar night will descend on Pakistan. Isn't it a great tragedy that at a time when a window of hope has opened, our political leaders are dithering and cannot forge a united front against corrupt rulers? The time has come when the ultimate sovereign - the people of Pakistan - must assert itself.

Otto von Bismarck once said that political genius entailed hearing the hoof beat of history, then rising to catch the galloping horseman by the coattails. Today Nawaz Sharif is acknowledged leader of a mainstream political party and has a decisive role to play in the critical days ahead. The voice of history beckons him. Will he “seize the moment”? Will he “seize the hour”? Will he respond to the challenge or continue to prevaricate and stay on the fence? That is the question. On that would depend the future course of events in Pakistan.

The feeling of the nation must be quickened, the conscience of the nation must rouse; the proprieties of the nation must be startled, the hypocrisy of the corrupt rulers must be exposed.

## **What prevents it?**

**Saturday, May 01, 2010**

The assassination of Benazir Bhutto, the former prime minister of Pakistan, shocked and saddened the people of Pakistan and of the world. The chain of events beginning with BB's decision to return to Pakistan to participate in the election campaign, the unsuccessful attempt to kill her in Karachi, and her assassination on December 27, 2007 in Rawalpindi, evoked the demand, at home and abroad, for an explanation.

The intense public demand for facts was met by the establishment, and, on the request of the Pakistan government, a three-member UN commission of inquiry was formed. It was agreed that the international commission should be fact-finding in nature and that its mandate would be to determine the facts and circumstances of the assassination of Benazir Bhutto. The commission conducted more than 250 interviews - both inside and outside Pakistan. It is worth noting that the report does not include either a list of those interviewed or their statements.

The commission, though, mystified by the efforts of certain high-ranking officials to obstruct access to Pakistan's military and intelligence sources, submitted its 65-page report to the secretary general of the UN in April. It made it quite clear that the duty of carrying out a serious credible, criminal investigation to determine who conceived, ordered, and executed this heinous crime remains with the government of Pakistan. Tragically, no such investigation has been ordered so far. Instead, to add insult to injury, Prime Minister Yousuf Raza Gilani has set up another fact-finding committee composed of two civil servants and a major general of the Pakistan Army.

Flash back to November 22, 1963, the day John Fitzgerald Kennedy, the 35th president of the United States was assassinated. On November 29, 1963, a week after the assassination, President Johnson, by Executive Order 11130, created a commission, with the chief justice of the United States as its chairman, to investigate the assassination. The commission functioned neither as a court presiding over an adversary proceeding nor as a prosecutor determined to prove a case but as a fact-finding body committed to the ascertainment of the truth.

The commission directed major departments of the federal government and intelligence agencies to submit all relevant information available with them. The Federal Bureau of Investigation conducted approximately 25,000 interviews of



persons having information of possible relevance to the investigation. By September 1964, it submitted over 2,300 reports totaling approximately 25,400 pages to the commission. During the same period, the secret services conducted approximated 1,550 interviews and submitted 800 reports totaling some 4,600 pages. The commission reviewed in detail the reports and actions of these agencies and called their highest officials to testify under oath. The commission itself examined 552 witnesses having information of relevance to the investigation.

In sharp contrast, the lackadaisical manner in which the PPP government is conducting the inquiry into the assassination of its leader, without any sense of urgency, purpose or direction, clearly shows that it is not interested in ascertaining the truth and unmasking the killer. Isn't it a great tragedy that after 28 months of Benazir's assassination, the government has yet to carry out a serious, credible investigation to determine who conceived, ordered, and executed this heinous crime?

What is preventing this government from appointing a high-level judicial commission, with the chief justice as its chairman to ascertain the truth? Why this reluctance to face the truth? Who is protecting the perpetrators of this dastardly crime against a courageous woman full of promise, this crime against a family, a nation and all mankind.

## Murder will out

Sunday, April 25, 2010

Political crimes are far worse than common crimes because, in the former case, only individuals are wounded, whereas in the latter, the existence of free society itself is threatened. I was frightened for my country the day Benazir was assassinated and horror of horror, the scariest moment of all, when Zardari was elected as the president of Pakistan.

Who killed Benazir? Who cut short her life so full of promise? The UN commission assigned to enquire into the facts and circumstances of her death does not answer this question. For some inexplicable reason, its hands seemed to be tied. It was appointed, it seems, not to unmask the killer, but only to determine the facts and circumstances of the assassination! The duty of carrying out a serious, credible, criminal investigation to determine who conceived, ordered, and executed this heinous crime remains with the PPP government. Isn't it tragic that even after 28 months of her assassination nobody knows who killed her?

- “Men may lie. Circumstances never lie,” is a guiding principle of the law of evidence. Some facts and circumstances determined by the UN commission of inquiry speak for themselves and are worth quoting:
- “The Commission is persuaded that the Rawalpindi Police Chief, CPO Saud Aziz, did not act independently of higher authorities, either in the decision to hose down the crime scene or to impede the Post-Mortem examination.” -Section 259 (x)
- “The rapid departure of the only back-up vehicle in which Mr Malik and other senior PPP leaders rode, was a serious security lapse.” -Section 236. (It allowed Ms Bhutto's damaged vehicle to become isolated?)
- “There was not an effective criminal investigation of either the Karachi or the Rawalpindi attacks. This is inexplicable.” -Section 238
- “Ms Bhutto was killed more than two years ago. A government headed by her party, the PPP, has been in office for most of that time, and it only began the further investigation, a renewal of the stalled official

investigation in October 2009. This is surprising to the Commission.” - Section 247.

- “The Commission’s effort to determine the facts and circumstances of Ms Bhutto’s assassination is not a substitute for an effective, official criminal investigation. These activities should have been carried out simultaneously.” -Section 247.

Many questions arise in one’s mind that remain unanswered:

- Mr Zardari is on record having said - not once but a number of times - that he knew who the killers of his wife are. If so, why hasn’t he brought this vital piece of information to the notice of the police?
- The FIR is a very important document as it sets the process of criminal justice in motion. The success or failure of the prosecution in a murder case depends to a large extent on the contents of the FIR and when it was lodged. Why didn’t Zardari lodge an FIR in the police station at the earliest opportunity?
- The post-mortem, the examination of a body after death, is a legal requirement and is carried out by pathologists in order to identify the cause of death. Why did Zardari refuse to have post-mortem performed on BB’s body? Why was it refused by the police? Why were they not interested in identifying the cause of BB’s death?
- Why was General Musharraf, a known suspect in the murder of BB, allowed to leave the country by the PPP government which was firmly in position at the time of his exit from the country? Was it all part of some deal?

The assassination of Benazir, a stain on the nation’s conscience, still haunts me. Tragically, her death is fast becoming a non-event. It seems no one is interested in unraveling the mystery surrounding her assassination or unmasking the perpetrator or perpetrators of this dastardly crime. Should the high and mighty, with blood on their hands, get off so easily when ordinary people committing petty crimes are sent to jail?

“It is essential,” the UN report says, “that the perpetrators of the assassination of Benazir Bhutto be brought to justice. The government of Pakistan should ensure that the further investigation into the assassination of Ms Bhutto is fully empowered, and resourced and is conducted expeditiously with no hindrance.”

Is the PPP government prepared to do that? Even though it's already very late, will the PPP government set up a high-powered judicial commission headed by a judge of the Supreme Court?

The blood of Benazir calls for justice, not revenge. The PPP government owes it to its martyred leader to unmask her killer, whoever he may be, and bring him to justice. Let an enquiry be held in broad daylight. We will not be able to live with ourselves if we do not see to it that the truth is unveiled. The interests involved are too great and the men who wish to stifle the truth are too powerful, and the truth will not be known for sometime. But there is no doubt that ultimately every bit of it, without exception, will be divulged.

Truth carries a power within it that sweeps away all obstacles. And whenever its way is barred, whenever someone does succeed in burying it for any time at all, it builds up underground, gathering such explosive force that the day it bursts out at last, it blows up everything with it.

## **Present at the creation**

**Thursday, April 08, 2010**

Addressing a large gathering at Garhi Khuda Bux on April 4, President Zardari said, "The 18th Amendment would ensure that no dictator could trample the Constitution again". It has a ring of déjà vu to it.

On Oct 9, 1972, in the backdrop of a bloody civil war that resulted in the dismemberment of the country, a constitution committee met in Islamabad to prepare the draft of a permanent constitution for Pakistan. I was lucky enough to have witnessed the passing of the Constitution Bill and the emergence of the 1973 Constitution in the National Assembly. It was a momentous event in the chequered history of our country and I was not going to miss it.

As the people's representatives, elected directly for the first time by adult franchise, the members of the committee strived to arrive at a constitutional arrangement which would preclude any recurrence of past failures. The draft of the Constitution, the committee hoped, would do away with the dichotomy between the fiction and reality of executive authority. The committee provided what it thought to be effective deterrents against any attempt to abrogate or subvert the constitution, declaring it to be high treason offence.

I still remember Mr. Pirzada thanking the Speaker for conceding the floor to him and his words still ring in my ears. "Mr. President, sir, first time in the history of Pakistan of 25 years, tragic history of Pakistan, tragic constitutional history of Pakistan, for the first time we are not only on the threshold of giving a constitution through the most recognised and cherished democratic process but we are almost over that threshold..."

Mr. Bhutto, who followed Mr. Pirzada said, "I hope that after a long and tortuous road we have reached a stage in our life which can be regarded as a culmination. For a long time we have not been able to find basic solution to many problems that affect the country. Again and again, the issues have been opened and reopened with greater anger and with greater bitterness. Among these problems the answer to the constitutional problems of Pakistan can be regarded as the most important. After 25 years we have, after many disputes and quarrels, come to a point where we can say that we have a fundamental law; we have a constitution and nobody can deny that this constitution does represent the will of the people of Pakistan; nobody can deny that this constitution is a democratic constitution by any definition of democracy; nobody can deny that it is a federal constitution; nobody can deny that there is settlement over the

quantum of autonomy, and thank God for that; nobody can deny that it is an Islamic constitution; It contains more Islamic provisions than any of the past constitutions of Pakistan as well as any of the other constitutions of Muslim countries other than the monarchist Muslim countries.

“To the young law minister, I would say that he has done great service to Pakistan and it is a good fortune of history that on his young and able shoulders fell the task of giving Pakistan a constitution, of piloting the Constitution Bill. This is not a privilege which can be easily had in our circumstances in the conditions of Pakistan. He has worked with great zeal and with untiring devotion. He has been in touch with the opposition leaders at all times. He has kept his mind open. He has acted with dexterity, with finesse, with nimbleness and he has amply demonstrated great qualities of a legal mind, of a political mind.

“I have continued my speech longer than I thought it would be, but I would finish with only one note which is: is this constitution a viable constitution? Its viability lies in the hands of the people, its viability lies in the consciousness of the people, its viability lies in our understanding of our conditions. If we take stock of the situation, if we learn from what had happened in the past, if we do not repeat the tragic errors that we have made in the days not so long ago, if we pause to think and consider what a certain action will contain and what will be the consequences and repercussions of certain acts either made out of lack of knowledge or out of sheer ambition or greed, then I believe that this document will stand the test of time. But if we think that it can be cast aside and that there are simple solutions and all that one has to do is to sit on a white charger with sword in hand and settle problems with its flash, in that case the tragedy of the greatest magnitude will befall Pakistan. Therefore, this document is in the vault of the people, the people hold the key to its viability. No country has had to face as much of constitutional experiences and troubles as Pakistan -- we would now consider this document to be a fundamental law worthy of respect of the whole nation and that the whole nation now and the generations following it will protect it with their blood and with their lives.”

That day I felt like I had a future. Pakistan was back on the rails, or so I thought. Disillusion was soon to set in.

It is unfortunate that Mr. Bhutto violated the sanctity of the Constitution and the constitutional accord by a series of unilateral amendments in the Constitution in the teeth of opposition from his political opponents. In the process, he destroyed the delicate political compromise which formed the basis of the 1973 Constitution, weakened his position and exposed himself to vicious attacks.

Ultimately, he was overtaken by the forces he thought he had neutralised and had in fact re-empowered.

Constitution-making is a hazardous business in Pakistan. On the eve the 1973 Constitution was passed, Mr. Bhutto said: "Today we have passed through the dark tunnel, and I see the golden bridge." Tragically, what he saw was not the golden bridge but an optical illusion and a mirage. On April 4, 1979, Zulfikar Ali Bhutto, the prime minister of Pakistan and the architect of the 1973 Constitution, was taken to the gallows on a stretcher and hanged.

A written constitution makes sense only if people genuinely believe in its sanctity and supremacy and are prepared to protect and defend it. It makes no sense if people withdraw their support of the Supreme Court, the guardian of the constitution and are not prepared to defend it. A written constitution makes no sense if what it says is one thing and what actually happens in practice is another. It makes no sense if citizens allow it to be periodically abrogated, suspended or held in abeyance by people who have sworn to defend and uphold it. It makes no sense if it is treated as a parchment of dried leaves and torn to pieces whenever it suits the rulers. If that is how we are going to treat our written constitution, why have a written constitution at all? Whither, then, are we tending?

The Supreme Court should be the barrier that protects the citizens from the winds of evil and tyranny. If we permit it to be desecrated or demeaned, and it crumbles, who will be able to stand in the winds that follow? Obviously we have learned nothing from history. Isn't it a great tragedy that today the democratically elected government has virtually declared war on the Supreme Court and is determined to defy it? This is the challenge that all of us now face. Every citizen of Pakistan must search his soul and decide where he stands. It has been rightly said that those who do evil are bad, but good men who do nothing to oppose it are equally so.

## **What is there to celebrate?**

**Wednesday, March 24, 2010**

Every year, we commemorate March 23 in remembrance of 'The Pakistan Resolution' passed in the historic city of Lahore. Memories come back to me like shards of glass. I was in Lahore, the city of my dreams, on that memorable day. Yeast was in the air. The idea of Pakistan was about to be born.

A day earlier, on March 22, 1940, Mr Jinnah had arrived in Lahore by the Frontier Mail to preside over the Muslim League meeting. When he entered the packed pandal, he faced a sea of humanity - all his admirers who had converged on Lahore to hear what he had to say. The Nawab of Mamdot, Chairman of the Reception Committee, presented Mr Jinnah to the vast multitude. It was Jinnah's largest audience, his greatest performance to-date. On that day, the Muslim League led by Mr Jinnah declared its support for the idea of Pakistan. His Lahore address lowered the final curtain on any prospects for a single united India. It was a ringing repudiation of Sikander Hayat's Unionist Party's basic platform of Hindu-Muslim-Sikh co-existence. That is why generations of Pakistanis will always remember March 23 with profound reverence and respect. Seven years later, on August 14, 1947, thanks to the iron will and determination of Mr. Jinnah, I was proud citizen of a sovereign, independent country - a country I could live for and die for.

As he left the constitutional convention of 1787, Benjamin Franklin was asked by an admirer, "Dr Franklin what have you given us". Franklin turned to the questioner and replied, "A Republic, if you can keep it". Not too long ago, we too possessed a great country earned for us by the sweat of the brow and iron will of one person. Where giants walked, midgets pose now. Our rulers, both elected and un-elected, have done to Pakistan what the successors of Lenin did to the Soviet Union. "Lenin founded our State", Stalin said, after a stormy session with Marshal Zhukov.

The German army was at the gate of Moscow. "And we have ...it up". This is exactly what we have done to Jinnah's Pakistan. Today it is neither sovereign, nor independent, nor democratic. Today it is not just a "rentier state", not just a client state. It is a slave state, ill-led, ill-governed by a corrupt, power-hungry junta running a puppet government set up by Washington. The dream has morphed into a nightmare.

Sixty two years after independence, are we really free? Are the people masters in their own house? The kind of Pakistan we have today has lost its manhood and



is a ghost of its former self. Our entire political system has been pulled into a black hole caused by periodic army intervention and prolonged army rule. Today if Pakistan were to look into a mirror, it won't recognise itself. The contrast between Pakistan in 1947 - idealistic, democratic, progressive, optimistic, and Pakistan today - leaderless, rudderless, violent, besieged, corrupt, uncertain about its future - could not be sharper or more disheartening. If you want to know how a people can survive despite their government, or leaders, well, visit Pakistan.

What is there to celebrate? There is no reason to celebrate! But there are myriad reasons to reflect. We lost half the country in a suicidal civil war in 1971. Like the Bourbons of France we have learned nothing and forgotten nothing. Today Pakistan is dangerously at war with itself once again. The federation is united only by a 'rope of sand'. Sixty two years after independence, we have a disjointed, dysfunctional, lopsided, hybrid, artificial, political system - a non-sovereign rubber stamp parliament, a weak and ineffective prime minister, appointed by a powerful accidental president.

This is an eerie period, the heart of the nation appears to stop beating, while its body remains suspended in a void. What has become of the nation's core institutions? The militarised state has destroyed the foundations of all our political institutions. The army has been enthroned as the new elite. The level of fawning and jockeying to be merely noticed and smiled upon by any pretender in uniform speaks of a nation that is loudly pleading to be crushed underfoot.

The independence of Pakistan is a myth. By succumbing to American pressure, we managed to secure a temporary reprieve. But at what price? Everyday American aircraft violate our airspace, and bomb our villages. In 2009 alone, they killed 667 innocent men, women and children with impunity. No questions asked. No protest. No remorse. Today Pakistan is splattered with American fortresses, seriously compromising our internal and external sovereignty. American security personnel stationed on our soil move in and out of the country without any let or hindrance. Pakistan has become a launching pad for military operations against neighbouring Muslim countries. We have been drawn into somebody else's war without understanding its true dimension or ultimate objectives. Nuclear Pakistan has been turned into an 'American lackey', currently engaged in a proxy war against its own people.

Parliament is one of the chief instruments of our democracy. Today, it is cowed, timid, a virtual paralytic, over-paid and under-employed. Parliamentary membership is the key to material success, a passport and a license to loot and plunder. Who says it is a check on the arbitrariness of the executive? Nobody takes it seriously. Today it is the weakest of the three pillars of state. It has

suffered a steady diminution of power and prestige. Its image is tarnished and has been turned into a fig-leaf for unconstitutional and illegal practices.

To no nation has fate been more malignant than to Pakistan. With few exceptions, Pakistan has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military dictators, political illiterates and carpet-baggers. With all her shortcomings, Benazir Bhutto had undoubted leadership qualities – charisma, courage, political acumen and articulation. After her tragic assassination, Mr. Zardari's sudden ascension to the presidency caused panic among the people. His record since then hasn't exactly been an exercise in the glories of Pakistan's democracy.

To settle back into your cold-hearted acceptance of the status quo is not an option. The present leadership is taking Pakistan to a perilous place. The course they are on leads downhill. This is a delicate time, full of trepidation. Today it is a political and moral imperative for all patriotic Pakistanis to fight for our core values, to resist foreign intervention in our internal affairs and to destroy the roots of evil that afflicts Pakistan. That is the best way to celebrate March 23.

"Every country has its own constitution", one Russian is alleged to have remarked in the 19th century. "Ours is absolutism moderated by occasional assassination". The situation is not so very different in Pakistan. In democracies, constitutional amendments are especially solemn moments; in Pakistan they are easier than changing the traffic regulations. After 62 years, a parliamentary committee is busy rewriting the Constitution of Pakistan! If you want to know what happens when constitution, the fundamental law of the land, is periodically decimated, disfigured, defiled with impunity and treated with contempt, well – visit Pakistan.

The recent spontaneous demonstrations and outpouring of anger witnessed in and around Islamabad are ominous. With such ripples do tidal waves begin? Who will tap the anger, the frustration and the resentment among millions of our people? Both military dictatorship and corrupt, fraudulent democracy, have failed them. The country is impoverished and humiliated. Democratic forms remain, but democracy itself is in effect dead or dying.

## Hope for the country

Monday, March 15, 2010

No authoritarian or corrupt ruler can afford an independent judiciary. The two cannot coexist and are bound to collide. Without an independent judiciary, the Republic cannot be made to endure. But when government falls into perfidious hands, it becomes itself the instrument of counter-revolution. No wonder, all those who do not believe in the rule of law and all those who represent the forces of darkness and counter-revolution have joined hands once again to reverse the judicial revolution triggered by Chief Justice Iftikhar Chaudhry.

The proposed constitutional mechanism for selection of judges is a thinly disguised attempt to undo the gains of the judicial revolution. Counter-revolution does not give up easily. With the restoration of the deposed judges we thought we had reached the summit and our problems were over. Alas, the ascent of one ridge simply revealed the next daunting challenge. In retrospect, it seems it was naïveté to have imagined that the restoration of judges alone would defeat the corrupt system and criminals and mafiosi who have found in our democracy the perfect Trojan Horse for preserving their power.

In Pakistan, as in all federations, the Supreme Court plays a crucial role. It is the sole and unique tribunal of the nation. The peace, prosperity, and very existence of the federation rest continually in the hands of the Supreme Court judges. Without them, the Constitution would be a dead letter; It is to them that the executive appeals to resist the encroachment of parliament; parliament to defend itself against the assaults of the executive; the federal government to make the provinces obey it; the provinces to rebuff the exaggerated pretensions of the federal government, public interest against private interest, etc. They decide whether you and I shall live or die. An awesome responsibility rests on the shoulders of the Supreme Court. Their power is immense. But they are all-powerful only so long as the people and the government consent to obey the laws.

In every period of political turmoil, men must, therefore, have confidence that the superior judiciary, the guardian of the Constitution, will be fiercely independent and will resist all attempts to subvert the Constitution. It is our misfortune that from the country's first decade, our judges tried to match their constitutional ideals and legal language to the exigencies of current politics. The superior judiciary has often functioned at the behest of authority and has been used to further the interests of the rulers against the citizens. Their judgments

have often supported the government of the day. This was their chosen path through the 1950s and during the martial law period of the 1960s and 1970s. When the history of these benighted times comes to be written, it will be noted that the superior judiciary had failed the country in its hour of greatest need.

On March 20, 1996, the dark clouds on the judicial horizon lifted and the situation changed dramatically. On that fateful day, the Supreme Court, headed by Justice Sajjad Ali Shah, delivered the landmark judgment in the Judges' Case which made the arbitrary appointment of inexperienced, ill-trained, ill-qualified persons of doubtful integrity and party loyalists to the court almost impossible. We all thought this decision was a major divide in the constitutional jurisprudence of Pakistan and in the decisional philosophy of the Supreme Court. It was hoped that it would fundamentally alter the character of the court's business, the nature of its decisions, and will help restore public confidence in its independence and objectivity.

Our euphoria did not last long. On Nov 28, 1997, the Supreme Court of Pakistan was attacked by thugs organised and led by the government. Gen Jahangir Karamat, the chief of the army staff, to whom an appeal had been made by the chief justice for protection, stood aside and watched the fun. The attack on the Supreme Court was launched in broad daylight. The Honourable Justices had to flee for life. The same day Chief Justice Sajjad Ali Shah was forced to go on leave and then officially retired on Feb 16, 1998.

In the darkest hour in the history of our country, Fate had found the man who had the character, the will and determination to speak truth to the military dictator. Chief Justice Iftikhar Mohammad Chaudhry appeared on the scene like a *deus ex machina* and changed the course of history. He broke with past tradition. The nexus between the Generals and the superior judiciary has snapped. Isn't it ironical that today the people of Pakistan, especially the poor, the disadvantaged and the voiceless, expect justice not from the parliament, not from the presidency, but from an unelected and unaccountable Supreme Court? This has not made the court very popular with the executive.

It follows that Supreme Court judges must not only be good citizens and men of liberal education, sterling character and unimpeachable integrity; they must also understand the spirit of the age. Their appointment is dealt with by Articles 177 and 193 of the Constitution. Article 177 (1) provides: "The Chief Justice of Pakistan shall be appointed by the President, and each of the other Judges shall be appointed by the President after consultation with the Chief Justice." The question of consultation has been dealt with extensively in the well-known *Al-Jihad Trust Case*, wherein the Supreme Court held that "consultation in the scheme as envisaged by the Constitution is supposed to be effective, meaningful,

purposive, consensus-oriented, leaving no room for complaint of arbitrariness or unfair play. The opinion of the Chief Justice of Pakistan and Chief Justice of a High Court as to the fitness and suitability of a candidate for Judgeship is entitled to be accepted in the absence of very sound reasons to be recorded in writing by the President/Executive.” This is now the accepted method of selection of Judges. A crude attempt was made to deviate from it but it failed.

Why disturb the status quo? Why circumscribe the discretion of the chief justice? What is wrong with the present method of selection of judges? It has stood the test of time and has the full support of the people. Why involve the law minister, the attorney general and the Bar Council in the selection of judges of the Superior Courts? Why involve parliament and the political parties in the selection of judges? Why politicise the judiciary? Is the proposed method for selection of judges consistent with the principle of separation of powers enshrined in the Constitution? Why not leave the matter to the discretion and good sense of the chief justice, as is the case today? Why reopen the controversy? The reason is not far to seek. Independent judiciary suits nobody in this country. It only suits the people, especially the poor and the exploited. It does not suit the tiny minority which rules this country and is virtually above the law. They want to clip the wings of Chief Justice Iftikhar Chaudhry and take the country back to the bad old days when the superior judiciary functioned at the behest of authority and was used to further the interest of the rulers against the citizens.

Today there is hope for the country.

“The President may slip, without the state suffering, for his duties are limited,” Tocqueville wrote in 1837. “Congress may slip without the Union perishing, for above the Congress there is the electoral body which can change its spirit by changing its members. But if ever the Supreme Court came to be composed of corrupt or rash persons, the Confederation would be threatened by anarchy or civil war”. This is exactly what would happen in this country if the proposed mechanism for the selection of Judges is adopted.

The judicial revolution triggered by Chief Justice Iftikhar Chaudhry is irreversible. Let there be no doubt about it. Any attempt to undo it will be resisted. The people have planted an independent judiciary in the path of our turbulent democracy. No longer would the executive be a law unto itself. Today there are many now willing to spill their blood to defend their heart-earned independent judiciary. Try to destroy the independence of judiciary, and the moment is not far off when this beautiful country will be plunged into a civil war.

## **Standing on a burning platform**

**Thursday, February 25, 2010**

In other countries, crises produce leaders. In our country, leaders manufacture crises in order to grab or retain power. This nation is beginning to see the rapidly unfolding consequences of Gen Musharraf's Faustian bargain with Zardari. In the words of Chief Justice Iftikhar Mohammad Chaudhry, "the unity of the judges" alone, frustrated a crude, melodramatic attempt by Zardari to recreate the Nov 3, 2007, situation.

On Feb 13, 2010, a day that will go down in history as a day of infamy. Zardari, in collusion with Gillani, rejected the recommendations of the chief justice for the appointment of judges of the superior courts, in order to pack them with party loyalists. The attempt failed because it met with stiff resistance from the bar, the bench, some political parties and the civil society.

Tuesday, Feb 16, 2010, was a memorable day in the constitutional history of Pakistan. On that day, both Zardari and Gilani capitulated under tremendous public pressure, ate humble pie and beat a hasty, ignominious retreat. In the backdrop of Gilani's tough talk and bravado on the floor of the National Assembly only a day earlier, a more humiliating comeuppance is difficult to envision. Defeat is one thing. Disgrace is another. On that day we passed an awful milestone in our history, when the equilibrium between the three pillars of state - the Presidency, the Prime Minister and the Chief Justice, was deranged. This is not a victory of the Supreme Court, or of any political party, or of any class. It is a victory of the people of Pakistan. It could not have happened without Chief Justice Iftikhar Chaudhry. That is for sure. He was the first to draw the sword against the dictator on March 9, 2007, when he defied him and triggered a revolution in Pakistan.

Zardari's failed attempt to reverse the judicial revolution reminds me of a conversation between Hitler and Goring. Hitler was replying to a complaint by Goring that the judges had behaved disgracefully in the Reichstag Fire Case. "You would think that we were on trial, not the Communists," said Goring. "It is only a question of time," said Hitler. "We shall soon have those old fellows talking our language. They are all ripe for retirement anyway, and we will put in our own people." Zardari was never very comfortable with the reborn Supreme Court. His main concern was, and is, how to subjugate it and do away with the rule of law. Not surprisingly, he did exactly what Hitler had done more than 70 years ago. He resorted to court packing. But the attempt failed.

Today the political landscape of Pakistan is dotted with Potemkin villages. All the pillars of state, with the exception of the Supreme Court, are dysfunctional. In 1837, Tocqueville wrote: "the President may slip without the state suffering, for his duties are limited. Congress may slip without the Union perishing, for above the Congress there is the electoral body which can change its spirit by changing its members. But if ever the Supreme Court came to be composed of corrupt or rash persons, the Confederation would be threatened by anarchy or civil war." I shudder to think what would have happened if Zardari had succeeded in his designs.

For his involvement in the cover up of the Watergate scandal and suppressing the truth, President Nixon was forced to resign and hounded out of the Oval office. Twenty-five people were sent to prison because of the abuses of his administration, and many others faced indictments, including two attorneys general of the United States and several top officials of the White House. After the fall of President Nixon, David Gergen, a White House advisor to Nixon wrote: "The received wisdom is that Watergate teaches us one basic rule about politics: never elect a man of low character to high office." At a time when leadership is desperately needed to cope with matters of vital importance to the very survival of the country, Pakistan is led by a president who lacks both credibility and integrity. Any other person in his position would have resigned long ago. A Japanese leader would have committed hara-kiri. The tragedy of Pakistan is that Zardari is clinging to office like an old piece of chewing gum on the leg of a chair.

Today all the symptoms which one had ever met in history prior to great changes and revolutions exist in Pakistan. Nobody knows where it was headed without popular leadership to guide or direct it. The social contract between the rulers and the ruled has collapsed. Fundamental issues of far-reaching significance are churning beneath the placid surface of life. I know that at the present moment an unusual agitation is pervading the people, but what it will exactly result in, I am unable to say. "I can detect the near approach of the storm. I can hear the moaning of the hurricane, but I can't say when or where it will break forth." This is the darkest hour in the history of Pakistan. If Mr Jinnah came back today and met his successor, he would say, "I am afraid I need to erase this and start all over again."

Ultimately, the true guardians of democracy are the people of Pakistan. Time anagain in world history - in 1789, 1848, 1871, and 1968, to name only some of the most historic years - mass protests have kicked out rulers, and toppled governments. Our rulers know that the street is all they have to fear. Confronting Zardari has now become a patriotic duty. Today he is the greatest threat to

Pakistan, not just democracy. Another three years of Zardari's rule would easily become a life sentence for Pakistan.

The time has come when the ultimate sovereign – the people of Pakistan – must assert itself. At long last we have a chance to throw off the rubberstamp parliament and a thoroughly corrupt and discredited presidency. The situation offers endless possibilities for all patriots and men of vision. The centre of gravity has shifted to the Supreme Court. It must, therefore, rise to the height of the circumstances, press home its advantage and enforce full implementation of its judgment on NRO.

One man, one man alone, is responsible for the mess we are in today. At this time, all those who see the perils of the future, whatever their political orientation, must draw together to pull our country back from the edge of the abyss. We need to reinvent Pakistan. Our ship of state has hit rough waters. It must now chart a new way forward. If we do not act, and act now, the mess we are in will get even bigger, deeper and grimmer. We are standing on a "burning platform." If we don't work quickly to extinguish the blaze, the country and all of us in it would sink into the sea. The country demands change and change now. The time for action is now. Strictly speaking, it's long past.



## **Dread in the air**

**Saturday, February 13, 2010**

A period of nearly one-and-a-half year tells us a lot about a presidency and its capacities. As things stand since September 2008, the nation is haunted by a profound fear of anarchy. There is an element of dread in the air. The streets of Pakistan throb with tension and agitation. Anxiety abounds about the future of Pakistan.

Zardari entered the presidency with festering sores and slender qualifications. High office is like a bacterium which finds the open wounds in the individual who holds it. It infects the holder. The resulting scandals infect the whole country. A person with the fewest wounds generally does best in high office and is therefore best for a country.

In a president, character matters more than anything else. Zardari lacks both integrity and credibility, faces grave charges of corruption, and would be in serious trouble today without the cover of Article 248. A Japanese prime minister in such circumstances would have resigned and committed hara-kiri.

This president doesn't mean what he says. With each word he speaks, Zardari digs his own grave a little deeper. We now know what his objectives are and what he stands for. We also know where his line in the sand is. We know what his priorities are and who this president really is.

These days, like most Pakistanis, I feel very troubled, enraged to see such a good country going to hell, and going to hell with such cruelty and waste. The state of the federation on Zardari's watch would stun someone who went to sleep in 1948 and awakened in the present. On Aug 14, 1947, we thought we had found freedom, but it is turning out to be another kind of slavery. The independence of Pakistan is a myth. Pakistan is no longer a free country. Today it is not just a "rentier state," not just a client state. It is a slave state with a puppet government set up by Washington. Right now, Pakistan is the passenger in a car the United States is driving and it is not going in the right direction.

The American footprint in our country is growing larger and heavier by the day. Nuclear Pakistan is now an American colony and is used as a doormat on which the US can wipe its bloodstained boots. American military personnel cross and

re-cross our border without let or hindrance. Their drones violate our airspace with the agreement of our government and kill innocent men, women and children. No questions asked. No public outrage. No protest demonstrations. No self-respecting country, big or small, would tolerate such intrusions.

These are critical days in Pakistan. There is no steady hand on the tiller of government. The survival of the country, its sovereignty, its stunted democracy, its hard-won independent judiciary, all are on the line. In these dangerous times, anything is possible. Today the country is as close to anarchy as a society can be without dissolution.

In the absence of an agreed constitution, the federation is united only by a “rope of sand.” A plethora of amendments carried out by successive military rulers has defaced, disfigured, mutilated and decimated the 1973 Constitution and changed it beyond recognition. The noble processes of the Constitution have been trivialised by the power-holders, the power-seekers and the power-brokers.

Today, many people recall with sadness that not long ago Pakistan had a real, powerful working parliament which embodied the will of the people. As in all parliamentary governments, the executive was accountable to the parliament. The parliament we have today is no better than a rubberstamp legislature. Nobody takes it seriously. I have never seen an opposition so nonplussed, so impotent, so clearly without a shot in the locker. It is not playing the role it should be playing in a parliamentary form of government. In the words of Hazlitt, “the two parties [the PPP and the PML-N in our case] are like competing stage coaches which occasionally splash each other with mud but travel by the same road to the same place.”

Today we have a disjointed, dysfunctional, lopsided, hybrid, artificial, political system – a non-sovereign rubberstamp parliament, a weak and ineffective prime minister appointed by a powerful accidental president. Not surprisingly, Pakistan is rudderless and sliding into darkness. It is like a nightmare in which you foresee all the horrible things which are going to happen and can't stretch out your hand to prevent them. Such is the feeling conjured up by the inept rulers of Pakistan as it enters a period of great uncertainty and sinks deeper and deeper into the quagmire.

As Goethe said: “Everything seems to be following its normal course because even in terrible moments in which everything is at stake people go on living as if nothing were happening.” This is true of present-day Pakistan. Outwardly, Islamabad is still as the surface of a pond. An illusory calm seems to have settled over Pakistan. The reality is that Pakistan is anything but calm. It has not become just dangerous but shrill; an embattled president is now regular sport for the

people, heckled and mocked not behind his back but – heresy of heresies – in the open.

Who will tap the anger, the frustration and the resentment among millions of our people? Both military dictatorship and fake democracy have failed them. The country is humiliated and impoverished. Democratic forms remain. But democracy itself is in effect dead or dying. Our rulers are adept at using democratic structures to set up Potemkin villages and erect forms of authoritarian rule.

On the eve of the judicial revolution, cynics used to say this country was too divided, too apathetic, too disillusioned, too fatalistic to ever come together around a common purpose, a single-point agenda. But at the defining moment, our people did what the cynics said they could not do. There is no reason why we can't do it again. I have lived to see millions of my people indignant and resolute, demanding rule of law and freedom from army rule with an irresistible voice. But as the year 2010 begins, it remains to be seen if that voice of liberty would prove to be durable.

Ultimately, it is societies that have the tradition of respecting democratic institutions that survive terrible leaders, because institutions serve as guiding posts in the worst of times. Pakistan needs this tradition so that it can survive its bad leaders and flourish under good leadership. We live in a miserable age of charlatans and mediocrity. In this desert of talent and virtue, Chief Justice Iftikhar Chaudhry has emerged as a brief candle of courage, goodness and patriotism.

Today the only ray of hope is the Supreme Court. People must rally round it and defend it; the first threats of counter-revolutionary activity have already begun to appear. Attempts are being made to subvert the people's will and overturn the judicial revolution. If people don't speak up in its defence, the present corrupt order will acquire the mantle of legitimacy and permanence. Pakistan must therefore make a historic choice. Either we throw out the Capones and turn back from the dead end towards which we have been heading – and we do it soon – or else we continue in this direction and Pakistan simply ceases to exist.

## Choose the other road

Monday, February 01, 2010

A Wizard told him in these words our fate:

*At length Corruption, like a general Flood,  
(So long by watchful ministers withstood),  
Shall deluge all. – Alexander Pope*

In Pakistan nothing has altered the fortunes of so many people so suddenly as political power. Here money and power seek each other. No wonder, the business of politics attracts the scum of the community and a legion of scoundrels. In the name of democracy, unspeakable sins are committed. These practitioners of the art of grand larceny, loot and plunder in broad daylight, with no fear of accountability, reminiscent of the situation in the early 19th century in India when highway robbers, professional dacoits, assassins and the thugs travelled in gangs in the darkness of the night throughout Central India. The country was rid of this evil only when Captain Sleeman hanged over 400 members of this confederacy of robbers. The people of Hindustan heaved a sigh of relief and welcomed the Raj. What is distressing is that mega-corruption has reached the summit of power in this country and is acquiring an aspect of high respectability and great social distinction. And with Zardari in the presidency, one doesn't have to read the tea leaves for a glimpse of our future.

All presidents fall from their honeymoon highs, but no elected president in history has fallen this far this fast. All presidents are opposed, of course, and many are disliked; but few suffer widespread attacks on their personal integrity or veracity. President Zardari is one of those.

A year after he captured the presidency, Mr. Zardari has lost his "mandate of heaven." His presidency is collapsing all around us; the wolf is at the door. At a time when leadership is desperately needed to cope with matters of vital importance to the very survival of the country, Pakistan is led by a president who lacks both credibility and integrity. If you came up with ten words to describe Zardari, integrity and credibility would not be two of them.

No corrupt authoritarian ruler can afford a free press or an independent judiciary. No wonder, both are under attack in this country. Zardari has openly challenged the Supreme Court, the guardian of the Constitution, the defender of all our liberties. He has betrayed his oath to uphold the Constitution. At a time

when his fortunes have sunk to their lowest and his foes picture him as a man consumed by rancour and determined on revenge, his reluctance to implement the landmark Supreme Court judgment, and his plan to pack the superior courts have aroused people's anger and disgust.

It is hard to exaggerate the baleful impact of Zardari's rule: the oligarchs who have stolen away every asset of any value, the inflation that has ruined the middle class and the poor, the corruption that has corroded all values and humiliated every decent citizen; and the insecurities that have filled everyone with fear and anxiety. What will become of poor Pakistan? "What the end will be," Carlyle wrote, "is known to no mortal; that the end is near all mortals may know."

Henry Adams once wrote that the essence of leadership in the presidency is "a helm to grasp, a course to steer, a port to seek." President Zardari grasped the helm more than a year ago but the country still doesn't know whether he has an inner compass or a course to steer or a port to seek. It is now abundantly clear that Zardari is not worthy of the trust placed in him by his people. He carries a serious baggage, dogged for years by charges of corruption until they were abruptly dropped under the NRO. No democrat should come to power through such an array of backroom machinations, deals with generals or with Washington. No wonder too many people reject his political legitimacy.

Today, the nation is clearly at a fork in the road. We can follow the line of least resistance, turn a blind eye to all that Zardari is doing and continue to follow the road that has led us to where we are today. Or we can choose the other road. We don't need pitchforks and guns. If parliament is unable or unwilling to respond to public demands and declines to defend the Constitution and support the Supreme Court, people will, perforce, take the issue to parliament of man and parliament of the streets, as they have done in the past.

If people want change, they will have to vote with their bodies, and keep voting in the streets. A regime like this, which is defying the Supreme Court, can only be brought down or changed if enough people vote in the streets. This is what the regime fears most, because it either has to shoot its people or quit.

In a recent TV interview, President Zardari associated me with the "establishment," a curious observation that can be explained only by Zardari himself. What seems to have aroused his ire is that in pursuit of my rights as a free citizen of Pakistan, and no longer constrained by government-service rules, I have, from time to time, made public expressions of my concern over the serious charges of corruption that have been levelled against Zardari, at home and abroad. I also had the privilege of moving a petition in the Supreme Court

challenging the validity of a deplorable legislation. Not because I had an animus against any particular person, nor did I stand to personally gain anything. I did so because, as a citizen, I felt it my duty to challenge such an iniquity being imposed on millions of my fellow citizens.

I have publicly denounced the policies of Gen Musharraf in the print and electronic media when he was at the peak of his power. I have participated in rallies and demonstrations for the independence of the media and the restoration of the chief justice and other deposed judges. Today I can say with great pride that I was there.

Mr. Zardari's statement associating me with the establishment is, therefore, utterly baseless. I shall continue to exercise my right of free expression and association, as I have done in the past. All I want is that justice be done without fear and favour. Nothing shall deter me from following this course of action. As the chief prosecutor for the United States at the Nuremberg trials, Robert Jackson, warned: "Law shall not stop with the punishment of petty crimes by little people. It must also reach men who possess themselves of great power." *Fiat justitia ruat coelum.* (Let justice be done though the heavens fall). Heaven won't fall. That is for sure. It will be morning once again in Pakistan.

I end this article with these profound observations of Confucius:

"The ruler must be careful about his own virtue. Possessing the virtue will give him the people. Possessing the people will give him territory. Possessing the territory will give him wealth. Possessing the wealth, he will have resources for his expenditure. Virtue is the root, wealth is its branches. If the ruler makes the root his secondary object and the branches his first, he will only anger the people and teach them dishonesty. Hence, the accumulation of wealth is the way to disintegrate the people, and the distribution of wealth is the way to consolidate the people. Likewise, when his words are not in accord with that which is right, they will come back to him in the same way, and wealth got by improper means will leave him by the same road."

## **Without constitutional liberalism**

**Thursday, January 14, 2010**

In the West, democracy means liberal democracy – a political system, prevailing in a free and independent country, marked not only by free and fair elections but also by rule of law, separation of powers, independent judiciary, the protection of basic liberties of speech, assembly and religion, sanctity of contract and property. This bundle of freedoms – called constitutional liberalism – is not synonymous with democracy and is theoretically different and historically distinct from democracy. For much of modern history what characterised governments in Europe and North America, and differentiated them from those around the world, was not democracy but constitutional liberalism. The Magna Carta, rule of law, habeas corpus, are all expressions of constitutional liberalism, not democracy. During the 19th century most European countries went through the phase of liberalisation long before they became democratic.

British rule in India meant not democracy but constitutional liberalism – rule of law, independent judiciary, habeas corpus, fair administration and a merit system. For 156 years until July 1, 1997, Hong Kong was ruled by the British Crown through an appointed governor general. Until 1991, it never held a meaningful election, but its government epitomised constitutional liberalism, protecting its citizens' basic rights and administering a fair judicial system and bureaucracy.

Elections are an important virtue of government, but they are not the only virtue. Democracy does not end with the ballot, it begins there. Governments should be judged by yardsticks related to constitutional liberalism as well. Despite the limited political choice they offer, countries like Singapore, Malaysia and Thailand provide a better environment for the life, liberty and happiness of their citizens than do illiberal, sham, democracies like Slovakia, Ghana and Pakistan under their elected governments. Constitutional liberalism has led to democracy everywhere, but democracy does not seem to bring constitutional liberalism. In fact, democratically elected regimes in the Third World generally ignore constitutional limits on their powers, deprive the citizens of their basic rights and freedoms and, in the process, open the door to military rule, as has happened several times in Pakistan.

Eleven years down the line, in the attempt to build “pure democracy,” this is what we get: a spurious democracy brokered in Washington, an accidental

president facing corruption and criminal charges, a rubberstamp parliament, a figurehead prime minister and his corrupt ministers, Potemkin villages dotted all over the country, the nation's army at war with its own people, flagrant violation of our air space and national sovereignty by US aircraft, resulting in the killing of innocent men, women and children. No protest by our democratic government, no expression of remorse by our coalition partner in the so-called war on terror, no regret. The state of the federation is chilling. It would stun someone who went to sleep soon after Independence Day in 1947 and awakened in the present.

No wonder, people have lost faith in the democratic process. Elections are rigged, votes are purchased; known corrupt people, tax evaders, and smugglers are foisted upon a poor, illiterate electorate that is unable to make an informed political choice, and then sworn in as ministers. Elections throw up not the best, not the fittest, not the most deserving, but the scum of the community only because they are the richest or are favourites of the people in power.

To appreciate the full bouquet of challenges that "democracy" is facing in Pakistan, look no further than Islamabad. Today Islamabad represents a Pakistan which has lost its independence, a country which has not left the feudal-bureaucratic state of the colonial era; it still awaits a true emancipating revolution. Today if we Pakistanis looked in the mirror, we would not recognise what we have become. Pakistan is not the country it was even eleven years ago. Back then, the country was settled, stable, democratic and free. Today, Pakistan is neither sovereign nor independent. It is a "rentier state," an American lackey, ill-led, ill-governed by a corrupt, power-hungry junta supported by Washington.

How can democracy take roots in such a hostile environment? There can be no democracy, liberal or illiberal, in a country, like Pakistan, which has lost its independence and sovereignty. How can you have democracy in a country where people do not rule and the sovereign power of the state resides elsewhere? "We, the People," are the three most important words in the American Constitution. "We, the People" is a phrase alien to Islamabad.

The idea that you can just hold elections while everything remains colonial, feudal and mediaeval means you won't get democracy but some perversion of it. Elections are necessary, but not sufficient. Elections alone do not make a democracy. Creating a democracy requires a free and independent country, an inviolable constitution, a sustained commitment of time and money to develop all the necessary elements: a transparent executive branch accountable to the parliament, a powerful and competent legislature answerable to the electorate, a strong neutral judiciary, and a free press. To assume that a popular vote will automatically bring about a democratic metamorphosis would be to condemn



Pakistan to a repeat of the cycle seen so often in our history: a short-lived period of corrupt, civilian rule, a descent into chaos and then army intervention.

With Gen Musharraf's exit, we thought we had reached the summit. Alas! The ascent of one ridge simply revealed the next daunting challenge. Before he left the stage in disgrace, Musharraf turned over the car keys, under a deal, to those who had robbed and plundered this poor country. No wonder his policies remain unchanged. Besides atmospherics, so little has changed in foreign policy, the war in Waziristan and relationship with America. It took the elected prime minister of Pakistan an agonisingly long period to reverse the dictator's order and restore Chief Justice Iftikhar Chaudhry and other deposed judges. He did so in the early hours of the morning, only when hundreds of thousands of people threatened to march on Islamabad.

Around the world, democratically elected regimes are routinely ignoring limits on their power and depriving citizens of basic freedoms. "From Peru to the Philippines, we see the rise of a disturbing phenomenon: illiberal democracy. It has been difficult to recognise because for the last century in the west, democracy -- free and fair elections -- has gone hand in hand with constitutional liberalism: the rule of law and basic human rights." But in the rest of the world, these two concepts are coming apart. Democracy without constitutional liberalism, as we in Pakistan know very well, is producing centralised regimes, erosion of liberty, ethnic conflicts and war.

Contrary to what President Zardari says and believes, today the greatest threat to Pakistan's democracy, in fact Pakistan itself, stems not from religious militancy and sectarianism but from (a) the absence of a genuinely democratic political order, and (b) the surging American imperialism. The Farewell Address of George Washington will ever remain an important legacy for small nations like Pakistan. In that notable testament, the Father of the American Republic cautioned that "an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter." "It is folly in one nation," George Washington observed, "to look for disinterested favours from another...it must pay with a portion of its independence for whatever it may accept under that character." No truer words have been spoken on the subject. Pakistan is paying, and will continue to pay, a very heavy price for the folly of attaching itself to America. In this country democracy is only permissible when the results are favourable to America.

Governments are instituted to secure certain inalienable rights of human beings as the American Declaration of Independence put it. If a "democratic" government does not preserve liberty and law and does not protect the life, property and honour of its citizens, that it is a "democracy" is a small consolation.

## **The threat to democracy**

**Thursday, January 07, 2010**

2009 was a turning point for Pakistan. A time when history went into high gear. There are many strands to the annus mirabilis of 2009 – the rebirth of idealism, the appearance of civil society and lawyers on the political landscape as powerful allies of democracy, a crusade against high-level corruption, a thirst for rule of law, and an uprising against a stifling order. Today Gen Musharraf is in the dustbin of history. Chief Justice Iftikhar Chaudhry is back in Court No. 1 of the Supreme Court. The infamous NRO is dead and gone. Something new in our politics has arrived.

This country had sunk into avarice and political corruption, from which nothing but some major act of folly and madness on the part of government, such as the NRO, could arouse it. History will record that the true gains of the agitation for the restoration of deposed judges, and the public outrage against the NRO, have been the unification of the people against despotism, high-level corruption, the sharp awakening of the political conscience of the nation and the dawn of the realisation among the people that they, and only they, are the true guardians of our country.

Today Pakistan sits between hope and fear. Hope for a political possibility that would lead to a sovereign and democratic Pakistan ready to regain its place among the nations of the world. Fear that a thoroughly corrupt regime would manage to survive and perpetuate itself.

I have been frightened for my country only a few times in my life: in 1948 when Mr Jinnah died. I never saw so many people crying, so visibly shaken by sadness. In 1971, it was the secession of East Pakistan. And horror of horrors, Dec 27, 2007, when Benazir Bhutto was assassinated, and later when Zardari was elected as president; this last moment was the scariest of all.

To no nation has fate been more malignant than to Pakistan. With few exceptions, Pakistan has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military dictators, political illiterates and carpetbaggers. Many hoped that Zardari, once elected to the highest office, would have a sense of his own smallness in the sweep of events and would contravene Lord Acton's dictum and grow humbler and wiser. Unfortunately, that has not happened.

A lesson to be drawn from the works of Gibbon is that Rome's enemies lay not outside her borders but within her bosom, and the enemies paved the way for the empire's decline and fall. Many early symptoms that heralded the Roman decline may be seen in our own nation. Today the biggest threat to Pakistan's fledgling democracy, in fact Pakistan itself, does not come from the army or the superior judiciary or the media. It comes from the presidency, the symbol of the unity of the federation! President Zardari is armed with awesome powers, but the weapons of democracy should be wielded only by hands that are clean. If you have integrity, nothing else matters. If you don't have integrity, nothing else matters. Zardari lacks both integrity and credibility. How can he govern? How can he lead 170 million Pakistanis? How can he inspire them? How can he provide leadership? How can he make democracy work? Instead of uniting the country, Zardari is playing a dangerous game of ethnic cards to perpetuate his corrupt rule. He is playing with fire. But playing with fire tends to produce explosions.

There are already worrisome indications that Zardari is determined to defy the apex court. He is also itching for a showdown with the army. These are dangerous developments. Lunacy is always depressing, but sometimes it is dangerous, especially when you get it manifested in the head of state and it has become a state policy. The first threats of counter-revolutionary activity have already begun to appear. Attempts are being made to subvert the people's will and overturn the judicial revolution. It is the last desperate gamble of a hated and doomed, corrupt autocracy - which fortunately, is soon due to make its exit.

Zardari has taken an oath to "to preserve, protect and defend the Constitution of Pakistan." That is not a conditional oath, to be honoured only when it is convenient. And to protect and defend the Constitution, Zardari will have to do more than obey the Constitution himself: he must hold those who violate the Constitution accountable. So why did he let Gen Musharraf get away with high treason? Why was Musharraf given a guard of honour?

It is now clear that Zardari is not worthy of the trust placed in him by the people of Pakistan. He carries a serious baggage. Dogged for years by charges of corruption until they were abruptly dropped under the NRO, to the anger and shock of the people of Pakistan. With the demise of the NRO, all the corruption cases pending against him at home and abroad have resurfaced.

There can't be two suns in the sky. There should be one authority in any government, in any state, in any country. There can't be a second centre of power in a parliamentary form of government. If you create a second centre of power, conflict between the two will develop, confusion and chaos will follow. Cohabitation hasn't worked well in France. President Zia tried it in Pakistan

towards the end of his long military rule, but it didn't work. He had to sack the prime minister and dissolve the National Assembly with disastrous consequences for the country. Why make the same mistake again? Why not learn from history? But as Hegel said long ago: "Man learns nothing from history, except that man learns nothing from history."

The great French thinker, Montesquieu, said in the 18th century: "The tyranny of a Prince in an oligarchy is not so dangerous to the public welfare as the apathy of a citizen in a democracy." A corrupt government is the inevitable consequence of an indifferent electorate. Politics will never be cleaner in this country, unless and until citizens are willing to give of themselves to the land to which they owe everything. Today apathy is the real enemy. Silence is its accomplice.

The path out of the current predicament is to ensure full implementation of the landmark Supreme Court judgment in letter and spirit. If necessary, people must take to the streets and demonstrate in ever larger numbers in support of rule of law. The more the people advance, the more the authority retreats. We must reclaim the path on which we journeyed before we succumbed to civil and military dictatorship. People must revisit what Pakistan was and where it was going, to gain a better grasp of what it is and where it can and should go. This is how Pakistan's path to its rightful future may be regained.

At this moment, when the nation is standing on the escalator of corruption and anarchy, right-minded citizens cannot afford to stand frozen in disgust and dismay. We cannot merely look upon the political development in sorrow and upon our politicians in anger. The problems facing the country have to be faced and their solutions sought without delay. We are racing against time. A problem avoided turns into a crisis, and the crisis not mastered can turn into a disaster further down the road. Honest and knowledgeable members of civil society must reverse the decision, to which they have adhered for so long, of opting out of the democratic process. I still remain hopeful we can rouse ourselves to save our country. But the time is growing short.

## **Battle corruption now**

**Wednesday, December 23, 2009**

Today we are engaged in a great battle for the rule of law and corruption-free politics. With the demise of the NRO, we have won the first round, but the fight is not over. In fact, it has just begun. All the robber barons are clinging to office like a dirty old piece of chewing gum on the leg of a chair. In this country, nobody vacates office voluntarily. It is not a part of our political culture. They have found in "democracy," the perfect Trojan horse for attaining and preserving power. It has provided a shell under which they plunder and beggar their people. They will not leave easily. They have to be hounded out. But do we have to wait for Armageddon to hound them out? That is the question.

In every period of political turmoil, men must have confidence that the superior judiciary, the guardian of the Constitution, will be fiercely independent and will resist all attempts to subvert the Constitution. It is our good fortune that after years of subservience to the executive, the Supreme Court is now back on its feet. Pakistan too has woken up. It has raised its head, stands tall and erect. Sadly, the hope that was sweeping Pakistan soon began to fade. As apprehended, the euphoria, the excitement that accompanied the Dec 16 verdict has been overtaken in short order by cynicism, fear, doubt and anxiety.

There are already worrisome indications that the executive is determined to defy the apex court. The first threats have already begun to appear. However, it is the last desperate gamble of a hated and doomed, corrupt fascist autocracy - which fortunately, is soon due to make its exit from the stage of history.

Democracy is a splendid conception, but it has the disadvantage, on occasion, of placing in the lead men whose hands are dirty, who are mired in corruption, who will sap the strength of their country, not in years but over a period of months, and encompass the collapse of a great nation in the space of a few weeks. Today Pakistan is ruled by a president who lacks credibility and integrity and seems oblivious to the realities of his awesome responsibilities, and is interested only in perpetuating himself. The country is breaking down. It has become ungovernable and will remain so as long as he remains in power. When he goes abroad or speaks to foreign heads of state, Pakistanis sit on the edge of their collective seats wondering how their ruler will embarrass them next.

To no nation has fate been more malignant than to Pakistan. With few exceptions, Pakistan has long been saddled with poor, even malevolent, leadership: predatory kleptocrats, military dictators, political illiterates and carpetbaggers. With all her shortcomings, Benazir Bhutto had undoubted leadership qualities – charisma, courage, political acumen and articulation. After her tragic assassination, Mr. Zardari’s sudden ascension to the presidency caused panic among people. God help us all!

Isn’t it a great tragedy that at a critical time like this, the only office that matters in Pakistan, is the Zardari presidency? Democracy is in limbo. Parliament is paralysed. The opposition languishes in torpid impotence. The Constitution is a figment; all civil and political institutions remain eviscerated. All power is concentrated in the hands of Mr Asif Ali Zardari. He is the president and supreme commander, and party co-chairperson, to boot. He wields absolute power without responsibility and is accountable to none. Instead of governing, Zardari is lurching from disaster to disaster. Is it any wonder that the situation in Pakistan is so dire? How much more dire it must get before the people do something about it.

In this country some, like Zardari, are above the law, above the Constitution. They can do no wrong. Others, less fortunate, are below the law. Years ago, the framers of our Constitution decided to outlaw the trial of a sitting president – sometimes referred to as the “Berlusconi solution,” named for the immunity acquired, since withdrawn, by Prime Minister Silvio Berlusconi. Italy’s highest court made a wise decision in overturning an outrageous law granting the prime minister immunity from prosecution as long as he remained in office. It ruled that the law violated a clause in the Constitution granting citizens equality under the law. The Constitutional Court upheld a fundamental democratic principle that no one, however rich or powerful, can stand above the law.

When politics or politicians fail to resolve, or even to address, the great issues people face, what often happens is that civil society rises up to change politics. Historians call such moments “great awakenings” which often lead to big changes in society. Today Pakistan may be on the edge of such a time with a younger generation of lawyers and civil society as its cutting edge, ready to face the challenges and issues that weigh so heavily on this great country. They must urgently organise themselves throughout the length and breadth of the country at all levels – tehsil, district, division, province and the federal capital.

With all the challenges we Pakistanis face: anarchy from within, irresistible pressure from without, American drone attacks, killing innocent men, women and children, a proxy war, an all-pervasive fear, abject poverty, more than half the population living on less than a dollar a day, a national embarrassment called

Zardari, nothing has mobilised public opinion in recent history quite like the infamous NRO.

If people want a change, they will have to vote with their bodies and keep voting in the streets – over and over and over. A regime defying the Supreme Court can only be brought down or changed if enough people vote in the streets. This is what the regime fears most, because it either has to shoot its people or quit. A bloodless revolution but a mighty revolution – that is what we need today.

## **Arousing the nation**

**Sunday, December 20, 2009**

The nation-wide jubilation which we witnessed after the Supreme Court delivered its landmark judgement in the NRO case on 16th December was justified on many grounds. It restored the majesty of the Constitution; it proved the independence of the judiciary; it confined to the dustbin the odious agreement between a military dictator and an ambitious politician which was motivated purely by the desire of each to retain or gain political power. The court also directed that criminal proceedings against all the beneficiaries of the NRO should be continued from the stage at which they were withdrawn and, as a guard against deliberate foot-dragging by the National Accountability Bureau, it has established a monitoring cell to check on the progress of these cases. The order to replace the present top leadership of NAB indicates that the court means business. While doing all this, the court did not exceed the limits of good jurisprudence and stopped short of actually assuming the role of a trial court and proceeding against any particular individual. It did, however, insist that the names of the beneficiaries should be disclosed, no matter how high and mighty they may be, and the amounts they had stolen be shown to the court and the public.

All these are good causes for celebration. The citizens of this benighted country have, for once, been assured that there is such a thing as true accountability. They have the comfort of knowing that those who have grown fat and rich on ill-gotten gains at the cost of starving millions, can be brought to book. But there is a deeper question which arises. Will this landmark decision, which the revitalised Supreme Court has handed down, arouse the conscience of a nation which has become accustomed to a social and political order where corruption, tax evasion, fraud and dishonesty were never condemned? Indeed, an order where wealth, no matter how it was acquired, enhanced the social status of the individual, where it opened up doors to the corridors of power and where it was an object of envy rather than revulsion. Unless this judgement leads to the arousal of the nation's conscience, unless it generates a re-evaluation of the moral standards which have prevailed till now, it will be no more than a one-off event that gives temporary satisfaction, but in due course, gives way again to the old rotten order.

The honourable court did not merely apply the law in a correct manner, it also proved sensitive to the nation's interests. The court itself was revived as a result of the concerted and determined efforts of the lawyers community, supported by civil society, which boldly defined the national interest. For Pakistan, that was a



defining moment where, perhaps for the first time, citizens were successful in defying the wishes of the powers that be. It was a turning point. Can civil society do it again? This is the challenge that now faces us. Every citizen of Pakistan must search his soul and decide whether he has the duty to be a part of a revolution that the Supreme Court has initiated. It is a gigantic but vital task. As far as the judges go, the task has been well-begun but only half-done. There are more peaks to be climbed. Every citizen now shares the responsibility to carry this task to its logical conclusion and bring about a lasting and fundamental change in our national sense of morality. It has been rightly said that those who do evil are bad, but good men who do nothing to oppose it are equally so.

I had the privilege of moving a petition in the Supreme Court challenging the validity of a deplorable legislation, not because I had an animus against any particular person. Nor did I stand to personally gain anything. I did so because, as a citizen, I felt it my duty to challenge such an iniquity being imposed on millions of my fellow citizens. I do not believe the task has been fully completed. Civil society must remain actively engaged. It must, as it did in the judges case, see the battle through. No single individual, no matter how well-intentioned, can do it alone. If civil society is to be effective, it must organise itself as an identifiable and disciplined force. Those of us who took the initial steps now need the support of civil society as a whole to see that the spirit of the Supreme Court judgement is carried through. We must be ready to join in actions which ensure that thieves and robbers never again take the destiny of the nation in their hands. They must atone, they must be cast aside, they must not be allowed to enjoy the tainted wealth that they have acquired. It is our duty to ensure that the judgement of the Supreme Court is put into full effect in letter and spirit. There are already worrisome indications that the executive is determined to defy the apex court. The first threats of counter - revolutionary activity have already begun to appear. Attempts are being made to subvert the people's will and overturn the revolution. It is therefore imperative that necessary follow - awakening up action, whether it means public pressure or further petitions, is vigorously pursued.

## Hope amid gloom

Tuesday, December 08, 2009

The fish, according to a Chinese saying, begins to rot from the head. Accountability in Pakistan must therefore start from the top and applied first to the rulers, who should no longer feel they could get away with impunity.

With Gen Musharraf's exit, we thought we had reached the summit. Alas! The ascent of one ridge simply revealed the next daunting challenge. With the demise of the NRO and revival of corruption cases against the rulers, optimism engulfed us all. That hope soon began to fade.

I am in despair about Pakistan. My fear is that the corrupt will get off again. There is an air of *deja vu* about it. Who will prosecute these corrupt rulers? They are the ones who will appoint the prosecutors!

Who will produce evidence against the accused persons if they remain in control of the administrative machinery? Who will come forward and depose against the high and mighty? It is unrealistic to expect anyone to testify against them in an open court of law. I can hear them laughing. As many times before, history too will laugh and stick out its tongue at us.

Flashback to the failed experiment in accountability in 1990. The president had dissolved the National Assembly and referred six glaring cases of corruption, nepotism, favouritism and abuse of power against Prime Minister Benazir Bhutto, and another nine such cases against her federal ministers, to special courts established under the law. The president was assured that the court proceedings would not take more than three or four months. The prosecution had no doubt about the outcome as all the references were supported by unimpeachable documentary evidence. They were in for a big shock.

In spite of our best efforts to expedite the proceedings, none of the six references against Benazir Bhutto could be decided one way or the other for more than two years. Adjournments were frequently asked for and freely given. No opportunity was missed to delay the proceedings. Why should the respondents have expedited the proceedings when they knew that time was on their side; that witnesses who could prove the cases against them may forget, or lose interest out of sheer disgust, or be won over, or – most important of all – the political situation may undergo a favourable change?

We soon realised that we had got off the main track. We were horrified to learn that every interim order passed by the special court in the course of the inquiry could be appealed against. The proceedings in the special courts could thus be brought to a standstill, pending disposal of the appeal.

We soon realised that under our existing judicial system it takes longer to get an answer from the accused than it takes to send a man to the moon and bring him back. There are so many loopholes in the system that the final judgment could easily be avoided for years. On one pretext or another, Ms Bhutto successfully evaded submitting her reply to the prosecution case made out against her after a long, tortuous, and dilatory process in which some witnesses were cross-examined for months. No wonder, some of them became nervous wrecks. With no support from the federal government, the fate of the references was sealed and the result was a foregone conclusion.

Once Benazir Bhutto returned to power, all references were decided in her favour with lightning speed. The objective situation had changed. Benazir Bhutto was now occupying the Prime Minister's House once again. The word "accountability" was not uttered or heard again in the corridors of power as if it were a dirty word.

What conclusions could be drawn from this failed experiment in accountability? First and foremost, that nobody in this country, neither the government nor the opposition, is interested in accountability as it is understood in the West. Secondly, people lost faith in the integrity, objectivity and impartiality of the judiciary, the watchdog charged under the Constitution with the responsibility of keeping a strict watch on the excesses and arbitrariness of the executive and the conduct of holders of public office. Thirdly, accountability has been reduced to a farce and most important of all, no matter how honest, upright, and well-intentioned you may be, your chances of bringing the guilty under the existing judicial system are almost nil.

In South Korea, two former presidents, both military men, were sent to jail and prosecuted on charges of human rights violations and corruption. Former US congressman Dan Rostenkowski, chairman of the influential House Ways and Means Committee, was sentenced to 17 months in prison for abusing his office and using employees to mow the grass at his summer house and to take photographs at the wedding of his daughter. He was also accused of using his House office account to buy stamps, which he then converted to cash.

As the former congressman, the once powerful lawmaker, stood up to hear the sentence. US district judge Norma Holloway rebuked him for his violation of the faith of his constituents who had elected him from 1959 to 1994. "You

shamelessly abused your position,” Judge Halloway said. The New York Times commented: “Pretty petty stuff, people thought, and pretty unlikely behaviour for a figure as powerful and as capable of commanding support as Mr Rostenkowski. But the case against him turned out not to be petty. He goes to jail for having abused his office. That is a flashing yellow light for every officeholder.”

The country needs, and, unless I mistake its temper, the country demands ruthless accountability of corrupt rulers. When will a president or a prime minister in Pakistan go to jail for mega-corruption? And when will a president or a prime minister go to prison for having abused his office? When will the superior judiciary rebuke a president or a prime minister for “betrayal of trust” and call his conduct reprehensible while sentencing him to prison, as Judge Halloway did Congressman Rostenkowski? That will be the finest hour of our superior judiciary.

“Though thou exalt thyself as the Eagle, and though thou set thy nest among the stars, thence will I bring thee down,” saith the Lord. A page has been turned in time’s ledger. Fortune has turned her back on this president and his regime. It is a moment of truth for him for, as Churchill said, “with primacy of power is also joined an awe-inspiring accountability for the future.”

The objective situation has undergone a favourable change with the triumphant return of Chief Justice Iftikhar Choudhary, in honour and dignity, to the Supreme Court, on a wave of popular support. The relationship amongst the three pillars of the state has shifted dramatically. The nexus between the Generals and the superior judiciary has snapped. An era of deference by the Supreme Court to the Executive has given way to judicial independence, if not judicial supremacy. The Supreme Court, the guardian of the Constitution, has undergone a major transformation. It has been baptised in the waters of public opinion. After years of subservience, it is on its feet and holding its head high. The days of subverting the Constitution and treating it like a scrap of paper are over.

The nation is looking up to the Supreme Court, the only ray of light and hope, amid the gloom, to ensure ruthless accountability of those who betrayed the people’s faith, who bartered away the nation’s trust and who plundered the country’s wealth. Unless the men at the top are called to account now and those found guilty among them sent to prison, the entire democratic process will be reduced to a farce once again; clean politics and an honest democratic government according to the Constitution and law will remain an illusion.

## **The generation that failed**

**Monday, November 23, 2009**

Like Russians, we Pakistanis remain obsessed by two great questions formulated by 19th-century Russian writers Alexander Herzen and Nikolai Chernyshevsky: who is to blame and what is to be done?

Many nations in the past have attempted to develop democratic institutions, only to lose them when they took their liberties and political institutions for granted, and failed to comprehend the threat posed by a powerful military establishment and corrupt political leaders. Pakistan is a classic example.

As he left the constitutional convention of 1787, Benjamin Franklin was asked by an admirer: "Dr Franklin, what have you given us?" Franklin replied, "A Republic, if you can keep it." Not too long ago, we too possessed a great country earned for us by the sweat of the brow and iron will of one person. We have done to Pakistan what Lenin's successors did to the Soviet Union.

On Oct 7, 1958, democracy was expunged from the politics of Pakistan with scarcely a protest. The result is the mess we are in today. As a direct consequence of military intervention in October 1958, we lost half the country in 1971. A weak political system and corrupt political leaders allowed the Generals to manipulate events and hijack the state.

There are, in my view, two factors that, above all others, have shaped our history during the last 62 years.

One is the growing power of the military in running the affairs of state. The other, without doubt, consists in the total failure of the politicians, the intelligentsia, the intellectuals, the civil servants – in fact, the entire civil society – to comprehend the threat posed by a powerful army to the country's fragile democracy, and to devise ways and means to thwart it. "Military coups," Alexis de Tocqueville warned more than 200 years ago, "are always to be feared in democracies. They should be reckoned among the most threatening of the perils which face their future existence. Statesmen must never relax their efforts to find a remedy for this evil." Sadly, the warning went unheeded in newly-independent Pakistan. When our descendants, in a century's time, come to look at our age, it is these two phenomena that will be held to be the determining factors of our history – the most demanding of explanation and analysis.

“Perhaps no form of government needs great leaders so much as democracy,” said the historian and diplomat Lord Bryce. The leadership Pakistan brought to power in 1947 proved unable to govern a country rent by political, ethnic, economic, and social conflicts. No wonder, today it is a nightmare of despair and despondency, in doubt about its future. The rich are getting richer, while the poor are sinking deeper and deeper into a black hole of abject poverty. The country appears to be adrift, lacking confidence about its future. Disaster and frustration roam the political landscape. Look into the eyes of a Pakistani today and you will see a smouldering rage.

Sixty-two years after independence, are we really free? Are the people masters in their own house? Are our sovereignty and independence untrammelled? On Aug 14, 1947, we thought we had found freedom, but it has turned out to be another kind of slavery. The independence of Pakistan is a myth. Pakistan is no longer a free country. Today it is not just a “rentier state,” not just a client state. It is a state with a government set up by Washington. It is no longer a democratic country. Today we have a disjointed, dysfunctional, lopsided, hybrid, artificial, political system – a non-sovereign rubberstamp parliament, a weak and ineffective prime minister, appointed by a powerful accidental president. Armed American security personnel crisscross our border without let or hindrance. They violate our air space with impunity, bomb our villages and kill innocent men, women and children. Everyday I ask myself the same question: How can this be happening in Jinnah’s Pakistan? Where are the voices of public outrage?

Where is the leadership willing to stand up and say: Enough! Enough! We have sullied ourselves enough. Why are we so passively mute? How can we be so comatose as a nation when all our political institutions are crumbling before our own eyes?

Many questions come to mind. Why did the army get involved in the politics of Pakistan in the first instance? Why did Ayub Khan stab Pakistan’s fledgling democracy in the back? Why was he allowed to commit the original sin? Worse still, why did everybody acclaim it? There was no breakdown of law and order to justify imposition of martial law. There was also no civil commotion to prevent the judges from attending their courts. The country was abuzz with politics, but that happens in all democracies, especially on the eve of elections.

Why did the superior judiciary, the guardian of the Constitution, the protector of the citizens’ rights, become subservient to the executive and to the philosophy of the party in power? Why did we allow the rule of law to give way to the rule of man? Why did our judges match their constitutional ideas and legal language to the exigencies of current politics? Why did the courts tailor their decisions for reasons of expediency or, at times, for simple survival?

Why did parliament, the pillar of our state, the embodiment of the will of the people, become a rubberstamp? Why did it allow itself to be gagged? Why did it surrender its sovereignty to both military and civilian dictators?

Why did Pakistan become a land of opportunities for corrupt, unscrupulous, unprincipled politicians; judges and generals; corrupt and dishonest civil servants; smugglers and tax evaders who have bank accounts, luxurious villas, mansions, and apartments in the West? Why did Pakistan become a nightmare of corruption, crime and despair? Why? Why?

Aug 14 gave independence to Pakistan, but not to Pakistanis. The greatest disappointment of my generation has been its failure to stand up to Generals who have robbed us of everything – our past, our present, our future. Prolonged army rule has reduced us, collectively, to a plantation of slaves. We seem to be helpless in the grip of some all – powerful monster; our limbs paralysed; our minds deadened.

Few Pakistanis seem ready to die for anything anymore.

Who has done this to us? There is something pitiable about a people that constantly bemoans its leaders. If they have let us down, it is only because we have allowed them to. With the mess we are in, we look everywhere but within. It is the fault of corrupt politicians. It is Washington's fault. It is the Pakistan army and power-hungry generals. It is the corrupt bureaucracy. Somebody fix it! What about us?

We have made a mockery of the gift of independence. What gift, shall we, the living, bequeath to the unborn? What Pakistan shall we hand over to the future? Today we feel ourselves unable to look our children in the eye, for the shame of what we did, and didn't do, during the last 62 years. For the shame of what we allowed to happen.

Today the Supreme Court, the guardian of the Constitution, is the only ray of hope in the darkness that surrounds us. After years of subservience, it is on its feet and holding its head high. Sadly, in spite of a strong and independent judiciary, the present corrupt order may survive because both the presidency and the Parliament are dysfunctional and out of sync with the spirit of the times.

What is to be done? At last, people have found their life mission: fight corrupt, discredited rulers, elected or unelected, when they capture the commanding heights of power. And I believe they have also found the tool to achieve this mammoth task: peaceful streets demonstrations and rallies.

When we organise with one another, when we get involved, when we stand up and speak out together, we can create a power no government can suppress. We live in a beautiful country. But corrupt leaders who have nothing but contempt for the people and no respect for democracy, freedom or justice have taken it over. It is up to all of us to take it back. And as Margaret Mead said: "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it is the only thing that ever has."



## **In the name of God, go**

**Wednesday, November 11, 2009**

Some leaders sail with the wind until the decisive moment when their conscience and events propel them into the centre of the storm. Altaf Hussain's fateful decision not to support Zardari on the infamous NRO issue was a masterly stroke in the game of politics. Otto von Bismarck famously said that political genius entailed hearing the hoofbeat of history and then rising to catch the galloping horseman by the coattails. This is what Altaf Bhai has done, to the surprise of friends and foes alike.

Altaf Bhai's friendly advice to President Asif Zardari to sacrifice his exalted office for the sake of the country and democracy reminds me of the fateful "Norway Debate" in the House of Commons in May 1940. Britain was at war, facing the full might of Nazi Germany. In the backdrop of the dismal picture of failure and retreat which confronted the nation, L S Amery, MP, delivered the historic speech which led to the resignation of Prime Minister Chamberlain and elevation of Churchill as prime minister. "I cast prudence to the winds," Amery wrote in his diary, "and ended full-out with my Cromwellian injunction to the government... 'You have sat too long here for any good you have been doing. Depart, I say, and let us have done with you. In the name of God, go.' "

"I say solemnly," Lloyd George who followed Amery, declared, "that the prime minister should give an example of sacrifice because there is nothing which can contribute more to victory in this war than that he should sacrifice his Seals of Office." President Lyndon Johnson had won an enormous election victory and proposed civil rights legislations and Great Society. Less than three years later, broken by the Vietnam War, realising the nation no longer trusted him, and unable to appear in public, he announced he would not seek re-election. What is President Zardari going to do?

All presidents fall from their honeymoon highs, but no elected president in history has fallen this low this fast. All presidents are opposed, of course, and many are disliked; but few suffer widespread attacks on their personal integrity or veracity. President Zardari is one of those few. Zardari knows well the man responsible for the trouble he is in. He looks at him everyday while shaving.

Talking about despotic rulers, like himself, Mussolini said just before he faced the firing squad: "Have you ever seen a prudent, calculating dictator, they all become mad, they lose their equilibrium in the clouds, quivering ambitions and

obsessions – and it is actually that mad passion which brought them to where they are.” Absolute power, unrestrained by law, must make people mad. Power is heady substance. How else can one explain Zardari’s erratic behaviour and his massive blunders?

Sometimes, once in a long while, you get a chance to serve your country. Today President Zardari is the Atlas on whose shoulders the state of Pakistan rests! Few people had been offered the opportunity that lay open to Mr Zardari. He blew it. No wonder, the country is gripped by fear and uncertainty. If Zardari remains in command of the ship of state, we will all go down like the Titanic.

At a time when the country is at war, Mr. Zardari, the Supreme Commander, spends almost his entire existence in the confines of a bunker – which he seldom leaves these days. Mortally afraid of his own people and the sword of the NRO hanging over his head, he is more concerned about protecting himself and his power rather than protecting the country or the people of Pakistan.

Mr. Zardari is so swathed in his inner circle that he has completely lost touch with the people and reality.

He wanders around among small knots of persons who agree with him. His blunders are too obvious, his behaviour too erratic, his vision too blurred. He has painted himself into a corner.

A year after he captured the presidency, Zardari seems to have lost his “mandate of heaven.” At a time when leadership is desperately needed to cope with matters of vital importance to the very survival of the country, Pakistan is led by a president who lacks both credibility and integrity. What is worse, he seems oblivious to the realities of his awesome responsibilities and is only interested in perpetuating himself.

What is it that people really expected from their president in a national crisis? It is something that the national psyche needs. The people, especially those in the war zone, expect the occupant of the Presidency to share their suffering, to assure those trapped in the crossfire that they will survive; that they will get through it. He has to be a Chief Executive who is in command, who reacts promptly, who alleviates human suffering. Above all, he must inspire confidence and hope. And so, he has to be that larger-than-life figure, which Zardari is not. No president and no prime minister can govern from a bunker.

These are critical days in Pakistan. Isn’t it a great tragedy that at a time like this there is a loveless relationship between the rulers and the ruled? There is no steady hand on the tiller of government. The survival of the country, its

sovereignty, its stunted democracy, its hard-won independent judiciary, all are on the line. Tragically, in our political life, we prefer to wait until things reach the emergency room.

Each man feels what is wrong, and knows what is required to be done, but none has the will or the courage or the energy needed to speak up and say enough is enough. All have lofty ideals, hopes, aspirations, desires, which produce no visible or durable results, like old men's passions ending in impotence.

"Fortune is a fickle courtesan," Napoleon said on the eve of the battle of Borodino. "I have always said so and now I am beginning to experience it." When I watched Zardari a few days ago on TV, he was visibly undergoing a similar experience and looked like the captain of a sinking ship, the wind of defeat in his hair. How fortunes fluctuate! The calendar says Zardari will be around for another four years, but the writing on the wall shows the party is almost over.

For Mr Zardari, the accidental president of Pakistan, the moment of truth has arrived. His presidency is collapsing all around us; the wolf is at the door.

The presidency is more than an honour, it is more than an office. It is a charge to keep. Asif Zardari's sudden ascension to presidency caused panic among the people. Thrown there by accident, he is grotesquely unsuited for his position. Henry Adams once wrote that the essence of leadership in the presidency is "a helm to grasp, a course to steer, a port to seek." President Zardari grasped the helm more than a year ago but the country still doesn't know whether he has an inner compass, or a course to steer or a port to seek. It is now abundantly clear that he is not worthy of the trust placed in him by his people. He carries a serious baggage, dogged for years by charges of corruption until they were abruptly dropped under the NRO, which he tried to get validated through the Parliament but failed. No democrat should come to power through such an array of backroom machinations, deals with Generals or foreign powers. No wonder, too many people reject Zardari's political legitimacy.

The Zardari aura is crumbling. His star is already burning out, but he will stop at nothing to keep his lock on power.

## **Cry, beloved Pakistan**

**Saturday, October 31, 2009**

With General Musharraf's exit, we thought we had reached the summit. Alas! The ascent of one ridge simply revealed the next daunting challenge. Before he left the stage in disgrace, Musharraf turned over the car keys to those who had robbed and plundered this country. Mr Jinnah could not have foreseen the tragic decline of Pakistan, when he passed his flaming torch into the hands of his successors. Sixty-two years after Jinnah gave us a great country, little men mired in corruption have captured political power and destroyed his legacy.

Our rulers, both elected and un-elected, have done to Pakistan what the successors of Lenin did to Soviet Union. "Lenin founded our state", Stalin said, after a stormy session with Marshal Zhukov. The German army was at the gate of Moscow. "And we have ...it up. Lenin left us a great heritage and we, his successors, have shitted it all up". Isn't this what we have done to Jinnah's Pakistan?

At a time when the country is at war, Mr. Zardari spends almost his entire existence in the confines of a bunker. Mortally afraid of his own people and the sword of NRO hanging over his head, he is more concerned about protecting himself and his power, rather than protecting the country or the people of Pakistan. All presidents fall from their honeymoon highs, but no elected president in history has fallen this far this fast.

This country is in deep, deep trouble. Tremendous responsibility rests on the shoulders of our military leadership. Senior military officers involved in decision-making are smart people, but they too live in a very rarefied environment, hardly ever meet common citizens and, as the American say, do not have the daily pulse of the people in their face. Is it any wonder that with a civil war raging and suicide bombers blowing up themselves and causing havoc all over the country, decision-making is flawed, there is no one to provide leadership, no one to inspire the people and no one to govern 170 million people? Today, you can't fail to see the rising specter of a fragile Pakistan helplessly stumbling into catastrophe.

The country is trembling with anxiety. Mr. Jinnah's unworthy successors have pushed us to despair. They have infused our life with war, terror and death. As I look back at our irrecoverable past and contemplate the tragedy of a lost future with a deep sense of loss, I am smitten by a sacred rage. It is hard to be happy these days. Like dinosaurs, disaster and frustration roam the country's political

landscape. Talk today is of a vanished dignity, of a nation diminished in ways not previously imaginable. It is almost as if no one wants to acknowledge a sad end to what once seemed like a beautiful dream. It speaks volumes for the failure of our rulers who squandered Jinnah's legacy and turned his dream into a nightmare.

In Pakistan, we still live in those aristocratic Victorian days when, as Disraeli said, "the world was for the few, and the very few." The rich are getting richer and the poorer are getting poorer. Two realms, civil and military, exist side by side, in a schizophrenic rift that shows no sign of re healing. Today we have an elected parliament, a democratic government, multiple political parties, a reasonably free press and all the other trappings of democracy. But all these are mere symbols which hide the reality of the power situation and play no role in determining policy decisions. How meaningful is our democratic order when real decisions are made elsewhere?

The country is at war with itself. The battle in Waziristan is a war of choice, not of necessity. Wars of necessity must meet two tests: national interest and a lack of viable alternative to the use of force to protect those interests. World War II was a war of necessity. The Iraq War, on the other hand, is a war of choice. If the war in Waziristan were a war of necessity, it would justify any level of effort - but it's not.

Isn't it tragic that for the first time in the history of Pakistan, air power is being used on the orders of an elected government against our own people in Waziristan? Air power was first used by the British against Mehsud tribesmen in 1925. Pink's war, as it was called, involved air-to-ground bombardment and strafing carried out by the Royal Air Force, under Wing Commander, Richard Charles Montagu Pink.

Bristol Fighters and de Havilland DH9s from numbers 5, 27 and 60 squadrons were deployed to the airstrips at Miranshah and Tank.

Air power was last used by the British against the Mehsud and Wazir tribesmen in the 40s. Jinnah condemned it on the floor of the Central Legislative Assembly in Delhi and described it as inhuman and barbaric. There was also uproar in the House of Commons and questions were asked. A heated debate followed. Today, there is no protest, no public outrage. A deathly silence prevails.

Air power is the wrong instrument for achieving imprecise objectives based on unrealistic goals. It destroys human habitations, inflicts unacceptable collateral damage and causes easily avoidable human misery. During the Vietnam War, there was a phrase that came to symbolise the entire misbegotten adventure: "it

became necessary to destroy the village in order to save it." It was said at first with sincerity, then repeated with irony, and finally with despair. Sadly, a similar suicidal drama is being enacted in democratic Pakistan against the Mehsud tribesmen. An elected government must never use its army or air force against its own people. It invariably leads to an army takeover.

In these harsh and difficult political times, the question of leadership is at the centre of our national concerns. The times cry out for leadership of high order. At the heart of the leadership is the leader's character. Pakistan is a nation of teahouse politicians -- midgets with no commitment to principles and no values. Can anyone of our leaders face the court like Nelson Mandela and say, "whatever sentence your Worship sees fit to impose upon me, may it rest assured that when my sentence has been completed, I will still be moved, as men are always moved, by their consciences. And when I come out from serving my sentence, I will take up again, as best I can, the struggle for the rights of my people."

Can anyone of our leaders face a judge and declare that he always cherished the ideal of an independent, democratic, corruption-free Pakistan? Mandela didn't flinch. He did not waver and run away. He made no deal. He stood his ground and won. That is the stuff that leaders are made of. Pakistan, I maintain, is a case of failed leadership, not a case of failed state.

"There is a time to laugh," the Bible tells us, "and a time to weep." This is a time to weep for the country we love. Pakistan is descending into chaos and caught between a hard place and many rocks. The political arena seems more like a forum of mass entertainment than a place of serious deliberation. The parliament, the chief instrument of democracy, is cowed, timid, a virtual paralytic, over-paid and under-employed, totally insensitive to the sufferings of the people it claims to represent.

Today all the symptoms which one had ever met within history, previous to great changes and revolutions, exist in Pakistan. The country appears to be adrift. Pakistan is sliding into anarchy. Nobody knows where it was headed without popular leadership to guide or direct it. The social contract between the rulers and ruled has collapsed. Fundamental issues of far-reaching significance are churning beneath the placid surface of life. The Zardari government is a vacuum presiding over chaos. Politics no less than nature abhors a vacuum. If the politicians don't get their act together quickly, I shudder to think what might rush into this void.

Tailpiece: Two mountains have met, and not even a ridiculous mouse has emerged!

## **Forgotten lessons of history**

**Wednesday, October 21, 2009**

On Saturday last, the army launched an operation, code-named Rah-i-Nijat against Mehsud strongholds in South Waziristan. "Both air and ground troops are taking part", Major General Athar Abbas, Chief of the Inter-Services Public Relation told the journalists. Earlier Army Chief General Kayani briefed the political leadership on the "imperative" of the operation against the Mehsuds. The die is cast. An invisible Rubicon crossed.

With this operation Pakistan is launched on the path to a protracted, inconclusive war in the mountains of Waziristan. The decision to commit our forces to such a war is, in my view, a tragic error. Waziristan may not be Vietnam but it has its own river of history that General Kayani is now stepping into.

Once again, there is a dry wind blowing throughout Waziristan and parched grasses wait the spark. Now that the match is lit, the blaze may spread like wildfire throughout the tribal area. Talking about Waziristan, a Mehsud tribesman told a missionary doctor at Bannu: "When God created the world there were a lot of stones and rocks and other lumber left over which were all dumped down on this frontier".

In the early 1900s, a crusty British general, Andrew Skeen, wrote a guide to military operation in Waziristan. His first piece of advice: "When planning a military expedition into Pashtun tribal areas, the first thing you must plan is your retreat. All expeditions into this area sooner or later end in retreat under fire".

The British decision to send troops into the Khaisora valley in November 1936 which transformed Ipi's agitation into a full scale uprising almost over night and set Waziristan on fire which lasted until after 1947. The British failed to capture Ipi and the campaign had to be called off. The judgment displayed by the British and the poor intelligence upon which they based their decisions were chiefly to blame for the disasters that followed. This was the last major rebellion in Waziristan which stemmed from an abrupt change of policy.

The tribesmen's unrivalled fighting record, their ability to intervene in Afghan affairs and to involve Afghans in their own affairs, were factors ignored by the British that made Waziristan different from other Frontier areas. This disastrous attempt to "pacify" Waziristan was the last of several major incursions into tribal

territory during the hundred years of Britain's presence in Northwest India. On each occasion the tribes and the mountains won a strategic victory, despite local tactical reverses, and the bulk of the Indian troops were forced to withdraw back into the plains of the Indus valley. The British soon learned that you can annex land but not people.

When the British left, Pakistan had reason to be glad that it had inherited a secure North West Frontier. In September 1947, Mr. Jinnah took a bold decision to reverse the "pacification" policy, withdrew regular troops from Waziristan and entered into new agreements with the tribes. Cunningham, the new governor of NWFP, appointed by Mr Jinnah was a Frontier expert. His disillusion with the "pacification" policy was complete. "I think that we must now face a complete change of policy. Razmak has been occupied by regular troops for nearly 25 years. Wana for a few years less. The occupation of Waziristan has been a failure. It has not achieved peace or any appreciable economic development. It ties up an unreasonably large number of troops, and for the last 10 years there have been frequent major and minor offenses against the troops." The change in policy produced dramatic results and paid rich dividends.

All this has now changed. Mr. Jinnah's Waziristan policy which had stood the test of time has been reversed. Our troops are back in Waziristan. Some time back, the commander of the US led troops in Afghanistan, Lieutenant General David Borno, let the cat out of the bag when he said that US and Pakistani forces were working together like "hammer and anvil" to trap Osama and Al Qaeda forces along the border".

Those who know the Frontier are deeply concerned. The Pakistan government is playing with fire. By reversing Mr. Jinnah's Waziristan policy, at the behest of Americans, it has alienated powerful tribes in Waziristan and unsettled our western border which had remained peaceful for 62 years since the birth of Pakistan.

The nation is beginning to see the rapidly unfurling consequences of General Musharraf's fateful decision to join the "coalition of the coerced". America's dreaded war on terror has indisputably arrived on Pakistan's soil. Pakistan is slipping into anarchy and stands on the brink of civil war. A perfect storm is looming on the horizon.

We have stumbled into a war that we cannot fight and win for the simple reason that we don't seem to realize what guerrilla war is like. We are sending conventional troops to do an unconventional job. I can foresee a perilous voyage. The war in Waziristan cannot be won because it is perceived as the white man's



war. It could be won only if perceived by the powerful tribes as Pakistan's own war. That, unfortunately, is not how they perceive this war. The conflict will, no doubt, be long and protracted. We will suffer more because not even a great power can beat guerrillas. The enemy cannot be seen: he is indigenous to the country. My fear is that we will get bogged down.

War against our own people is too terrible a thing to resort to. Many questions spring to mind. Was the decision to go to war determined by the absence of other viable options? Why was it not debated in parliament? Why deploy military means in pursuit of an indeterminate and primarily political end? Was there a geopolitical imperative to resort to war in Waziristan? Aren't we Pakistanising the American war on our soil?

We must also recognize the limitations of modern, high technology, military equipment in confronting highly motivated guerrilla movement in a treacherous terrain. We must also recognize that the consequences of large-scale military operations - against our own people - particularly in this age of highly sophisticated and destructive weapons - are inherently difficult to predict and control. Therefore, they must be avoided, excepting only when our nation's security is clearly and directly threatened. These are the lessons of history. Pray God we learn them. But as George Bernard Shaw said: "We learn from history that we learn nothing from history."

## **La patrie en danger -- time to speak**

**Thursday, October 15, 2009**

Every once in a while, I feel despair over the plight of the country -- we are hurtling toward catastrophe but nobody wants to do anything to avert it. For years, I have been ranting like Nietzsche's fool with a lantern: it is coming, it is coming. I do not know where and how. We stand on a volcano. We feel it tremble, we hear it roar. How and when and where it will burst, and who will be destroyed by its eruption is beyond the ken of mortals to discern.

Our country is in deep, deep trouble. The people must understand the full extent of the danger which threatens the country. Today, say Pakistan and what comes to mind: anarchy from within, irresistible pressure from without, a country cracking under American pressure, a proxy war, American military intervention, pervasive fear and frequent bomb explosions. No country can survive when its dream spills over; when its rulers seem more concerned about perpetuating themselves and protecting their power and their ill-gotten wealth rather than protecting the country and its people.

The American footprint in our country is growing larger and heavier by the day. Nuclear Pakistan is now an American colony and is used as a doormat on which the US can wipe its blood-stained boots.

American military personnel cross and re-cross our border without hindrance. Their drones violate our air space with the agreement of our government and kill innocent men, women and children -- no questions asked and no public outrage. No self-respecting country, big or small, would tolerate such intrusions. "You may come to the moment", Churchill said, "When you will have to fight with all the odds against you and only a precarious chance of survival. You may have to fight when there is no hope of victory, because it is better to perish than live as slaves." For us, that moment has come.

Farewell our dreams, sublime illusions, hopes, independence and our sovereignty. Today the survival of the country, its hard-won democracy, independent judiciary and liberties are on the line. No one is safe and perhaps no place on earth resembles Hobbes's description of a state of nature in which life is "nasty, brutish and short."

Today, Pakistan is rudderless and sliding into darkness. It is like a nightmare in which you foresee all the horrible things which are going to happen and can't

stretch out your hand to prevent them. Such is the feeling conjured up by the corrupt, inept rulers of Pakistan as it enters a period of great uncertainty and sinks deeper into the quagmire. I reproduce below some lines, relevant to our situation today, from an unknown writer about a railway accident:

Who is in charge of the clattering train,  
And the pace is hot, and the points are near,  
And Sleep has deadened the driver's ear,  
And the signals flash through the night in vain,  
For Death is in charge of the clattering train.

Isn't it a great tragedy that at a time when statesmanship of a very high order is the need of the hour, the fate of 170 million Pakistanis is in the hands of Mr Zardari and hordes of weak-kneed triflers, mountebanks and charlatans begrimed with corruption? Were politics in our country burdened with such notions as shame, integrity, accountability, rule of law, independent judiciary and supremacy of the constitution, all of them including Musharraf, would be in jail today. We live in a beautiful country, but robber barons – people who have no respect for our independence, our freedom, our institutions have taken over.

A testing time, critical to his presidency, is now upon Mr. Zardari. He has been weighed in the balance and found wanting. Today, the only person in Islamabad willing to defend him is no other than Zardari himself. He alone is responsible for the mess we are in today because it is he who drives the train. He is aware that his good star has finally deserted him. The Goddess of Destiny has made up her mind.

Destiny has trapped him at last. If Zardari left tomorrow, it would be morning once again in Pakistan.

Here in Islamabad there is nothing but the nauseating stench of resignation. With each passing day, the tide of hope recedes, revealing the unpleasant mud that the souls of slaves are made of. Is it our destiny that there must always be darkness at high noon, there must always be a line of shadow against the sun?

We need people who will stand up and say: Enough! Enough! This is not acceptable in the 21st century.

Why is the better sort of the nation so silent today? Why have the intellectuals adopted 'the genre of silence'? Why is there no public outrage? Why is there no loud protest? The creative intellectuals have been driven to ramshackle ivory towers or bought off. Show me an educated man with a silver spoon in Pakistan today, and I will show you a man without a spine. So when will somebody pose a finger at Zardari and say, "J'accuse"?

It is time to wakeup. Let Pakistan be Pakistan again. Let it be the dream it used to be – a dream that is almost dead today. All those who see the perils of the future must draw together and take resolute measures to put Pakistan back on the rails before tsunami catches up and hits us all. The longer we allow the waters to rise, the greater the catastrophe that will follow the bursting of the dam. Our window of opportunity is getting narrower and narrow by the day. It will, no doubt, be an uphill struggle to redeem our democracy and fashion it once again into a vessel to be proud of.

At a time like this, people detest those who remain passive, who keep silent and love only those who fight, who dare. In this transcendent struggle, neutrality is not an option. You're either with the people or against them. It is as simple as that. One thing is clear. The day is not far off when status quo will shift, corrupt, inept rulers will get their just deserts, and people will once again believe in the "power of the powerless".

Pakistan is a case of failed leadership, not failed state. Until we get the right kind of leadership, Pakistan will continue to oscillate between long periods of authoritarianism and bouts of corrupt and sham democracy. I am a short-term pessimist but a long-term optimist. I have this palpable feeling that the Maoist prescription – things have to get worse before they can get better – is being tested in Pakistan today.

The view from the presidency, however, is clearly rosier than from where most Pakistanis sit. From my perspective, this is the darkest moment in our history. I know that an unusual agitation is pervading the people, but what it will exactly result in, I am unable to say. "I can detect the near approach of the storm.

I can hear the moaning of the hurricane, but I can't say when or where it will break forth". How will this crisis pan out? Either this is a cyclical crisis in the system and it will soon resolve itself, or it is a crisis of the system and we will soon witness the passage of one epoch to another.

## **It's ultimately the citizens**

**Wednesday, September 30, 2009**

In Pakistan, as in all federations, the Supreme Court plays a crucial role. It is the sole and unique tribunal of the nation. The peace, prosperity, and very existence of the federation rest continually in the hands of Supreme Court judges. Without them, the constitution would be a dead letter; It is to them that the Executive appeals to resist the encroachment of Parliament; the Parliament to defend itself against the assaults of the Executive; the federal government to make the provinces obey it; the provinces to rebuff exaggerated pretensions of the federal government, public interest against private interest, etc.

It is our misfortune that from the country's first decade, our judges tried to match their constitutional ideals and legal language to the exigencies of current politics. The superior judiciary has often functioned at the behest of authority and has been used to further the interests of the rulers against the citizens. Their judgments have often supported the government of the day. This was their chosen path through the 1950s and during the martial law periods of the 1960s and 1970s. When the history of these benighted times comes to be written, it will be noted that the superior judiciary had failed the country in its hour of greatest need. Chief Justice Iftikhar Mohammad Chaudhry broke with past tradition and changed all that. The nexus between the generals and the superior judiciary has snapped. An era of the Supreme Court's deference to the Executive has given way to judicial independence. In the darkest hour in the history of our country, Fate had found the man who had the character, the will and determination to speak truth to the military dictator.

One of the lessons of history is that when people lose faith in their rulers, when rulers lose their credibility and integrity, and when hunger and anger come together, people sooner or later, come out on the roads, and demonstrate Lenin's maxim that in such situations, voting with citizen's feet is more effective than voting in elections. That is what happened on March 15, 2009. People everywhere in Pakistan took to the roads and set out on the historic long march to Islamabad. The world witnessed the "power of the powerless." March 15 was the answer that led those who have been told for so long by so many to be cynical and fearful and doubtful about what we can achieve, to put their hand on the arc of history and bend it once more toward the hope of a better day. Today, thanks to Chief Justice Iftikhar Chaudhry, the "black coats," the media and the civil society, hope is sweeping Pakistan.

The euphoria following the restoration of Chief Justice Iftikhar Chaudhry and other deposed judges soon gave way to the sobriety of the “morning after.” Today disillusion is fast setting in. People are getting impatient and are asking questions. The poor, the disadvantaged and the voiceless believe the reborn Supreme Court is on their side and expect redress of their grievances not from the Parliament, not from the Presidency, not from the prime minister, but from an unelected and unaccountable Supreme Court!

What they don't realise is that the power of the Supreme Court is limited. The Presidency and the rubberstamp Parliament are not in harmony with the spirit of the times. Mr. Zardari has lost the “mandate of heaven” and is leading this country to a perilous place. Prime Minister Yousuf Raza Gilani is a mere figurehead and exercises only delegated authority. The president, the prime minister and the Supreme Court are not on the same wavelength at a time when a revolutionary change, both political and economic, is not only needed but would appear to be inevitable.

The Supreme Court is under the Constitution but “the Constitution is what the judges say it is.” This gives the Supreme Court awesome power but that power is limited by the doctrine of the separation of power enshrined in the Constitution. The court has the power to decide what the law is, but it cannot make law: that power vests in the legislature. It can invalidate any law. It can strike down any law as being void or unconstitutional, but it cannot legislate. It can mete out justice but it has to be justice in accordance with law. Not otherwise.

On Sept 29, 2005, John Roberts was sworn in as chief justice of the US Supreme Court. At one point in the confirmation hearings he was asked, “Are you going to be on the side of the little guy?” Roberts replied:

*“if the Constitution says that the little guy should win, the little guy is going to win in court before me. But if the Constitution says that the big guy should win, well, then the big guy is going to win, because my obligation is to the Constitution.”*

It would, therefore, be naïve to depend on the Supreme Court alone to defend the rights of poor people, women, minorities, workers and peasants, and dissenters of all kinds. These rights only come alive when citizens organise, protest, demonstrate, strike, boycott, rebel, and violate the law in order to uphold justice.

The American Constitution gave no rights to working people: no right to work less than 12 hours a day, no right to a living wage, no right to save working conditions. No right to treatment by a doctor when in need. No right to a place to

live. The Supreme Court was helpless. Workers had to organise, go on strike, and defy the law, the courts, and the police to create a great movement to win an eight-hour workday, and cause such commotion that Congress was forced to pass a minimum-wage law, social security, and unemployment insurance.

Women's right to abortion did not depend on the Supreme Court decision in Roe vs Wade. It was won before that decision by grassroots agitation that forced states to recognise the right. The rights of working people, women, and black people have not depended on decisions of the courts. Like the other branches of the political system, the courts have recognised these rights only after citizens have engaged in direct action powerful enough to win these rights for themselves.

Our culture – our history, the media, the educational system – try to crowd out of our political consciousness everything except who will be elected MNA or MPA, as if these were the most important decisions we make. They are not. They deflect us from the most important job citizens have, which is to energise democracy by organising, protesting, sharing of information, and engaging in acts of civil disobedience that shake up the system.

No Supreme Court can stop the war in FATA or abolish poverty or educated unemployment or redistribute the wealth of this country or establish free medical care for every citizen or provide the roti, kapra, makaan promised by Prime Minister Zulfikar Ali Bhutto long ago. These revolutionary changes depend on the actions of an aroused citizenry. A bloodless revolution, but a mighty revolution – that is what we need today.

Much water has gone down the Indus since March 9, 2007. Today the good news is that General Musharraf has been hounded out of office and thrown into the dustbin of history. The bad news is that Mr. Asif Ali Zardari, his “democratic” successor, seems to have entered into a Faustian bargain with the Americans to pursue their agenda, with disastrous consequences for the country. What can the Supreme Court do? That is the question. God protect us all.

## **Threat from America**

**Monday, September 21, 2009**

If you want to know what happens to an ill-led and ill-governed, small country which, under the leadership of its corrupt rulers who owe everything to Washington, attaches itself to a powerful country like the United States, visit Pakistan.

With the full knowledge and approval of our government, American predators and ground forces strike wherever they like and kill innocent men, women and children in our tribal territory. With the targets now spreading, an expanding US role inside Pakistan may be more than anyone can stomach. The anger level in the country is reaching a dangerous level.

“The single greatest threat to (Pakistan)”, Obama said recently, “comes from Al Qaeda and their extremists allies”. This is not true. All our major problems, including terrorism, stem from the American invasion and occupation of Afghanistan. It has turned our tribal area into a protracted ulcer, a quagmire – a place where Pakistan is spending blood and treasure to protect American interests.

“The United States”, Obama said, “has great respect for the Pakistani people”. Bombing our villages and killing innocent men, women and children, Mr. President, is no way of expressing friendship or earning the respect of our people. Who says we are friends? There can be no friendship between the strong and the weak. There can be no friendship between unequals, neither in private life nor in public life. “The strong do what they can”, the Athenians told the intractable Melians, “and the weak must suffer what they must.” This is where Pakistan stands today. With the help of power-hungry generals, like Musharraf, and corrupt civilians now in power, Americans have turned independent, sovereign, proud Pakistan into a “pseudo - Republic” and a “rentier state” and allowed venal dictatorship to take root.

Angry. So very, very angry. Unable to speak due to mega-anger washing over every pore and fibre of my being. My anger at the people in power today is not blind rant. It is a righteous, concentrated stream of anger.

The farewell address of George Washington will remain an important legacy for small nations like Pakistan. In that notable testament, the Father of the American Republic cautioned that “an attachment of a small or weak toward a great and



powerful nation dooms the former to be the satellite of the latter". "It is folly in one nation", George Washington observed, "to look for disinterested favours from another...it must pay with a portion of its independence for what ever it may accept under that character". No truer words have been spoken on the subject. Pakistan is paying and will continue to pay a very heavy price for the folly of attaching itself to America.

This is the bleakest era in the history of Pakistan since 1971. The independence of Pakistan is a myth.

Pakistan is no longer a free country. It is no longer a democratic country. Today Pakistan is splattered with American fortresses, seriously compromising our internal and external sovereignty. People don't feel safe in their own country because any citizen can be picked up by FBI agents in collusion with our government and smuggled out of the country, making a mockery of our independence and sovereignty.

To apply the adjective sovereign to the people in today's Pakistan is a tragic farce. American military personnel cross and re-cross our border without let or hindrance. They violate our air space with impunity and kill innocent men, women and children. Everyday I ask myself the same question: How can this be happening in Pakistan?

In the backdrop of this grim situation, American marines are pouring into Pakistan, unchecked and unchallenged, in pursuance of their neo-colonial designs, America has set up bases and fortresses scattered across our country. Why is United States acquiring Pearl Continental Hotel in Peshawar? Why is it acquiring hundreds of houses in all our major cities including Islamabad? What is all this in aid of?

Today Pakistan is virtually under American occupation. Its presence in Pakistan is large, unwelcome and highly disruptive. America has disrupted the solemn agreement between Mr Jinnah and the tribesmen in FATA, and in the process it has destabilized the area. Americans have granted themselves leave to chase their elusive enemies in Pakistan territory. Our so-called democratic rulers have allowed them to bomb our tribal area, an intrusion no patriotic citizen can tolerate for long.

America, for all of its nascent idealism, began as an instance of brutal European imperialism, with the extermination of indigenous peoples and the enslavements of Africans. The invasion of Iraq and Afghanistan were, therefore, not isolated episodes. They were the culmination of a 110 -year period during which Americans overthrew 14 governments for various ideological, political and

economic reasons. The first foreign leader to be overthrown (January 1893) was Queen Liliuokalani of Hawaii. In Puerto Rico, Americans crushed the elected government of Louis Munoz Rivera in 1898 after he had held power for just 8 days. In Philippines, Americans fought poorly armed Filipino rebels in a war of resistance which lasted for three and half years. More than 4000 Americans and 35000 Filipinos were killed.

President Jose Zelaya was the most formidable leader Nicaragua ever had. His attempts to regulate American mining companies, and his insistence on seeking loans from European rather than American banks, led the United States to overthrow him in 1909. In 1911, Miguel Davilla of Honduras was overthrown in an operation staged jointly by the United States Navy and a band of rebels led by the American mercenary Lee Christmas.

The CIA staged its first coup in Iran, when Prime Minister Mohammad Mossadegh nationalized his country's oil industry. Mobs paid by the CIA rampaged through Tehran in the summer of 1953.

Mossadegh surrendered. "I owe my throne to God, my people, my army - and to you"! A grateful Reza Shah told Kemit Roosevelt, the CIA operator, who had masterminded the coup.

When President Ngo Dinh Diem of South Vietnam refused to promise the Americans that he would not negotiate with communist - led insurgents, he was overthrown six weeks after his meeting with McNamara and Lodge and was killed. President Salvador Allende of Chile was overthrown in an American-sponsored coup. Secretary of State Henry Kissinger met afterward with the country's new leader, General Augusto Pinochet.

These are just a few examples of the most direct form of American intervention - the overthrow of foreign governments - a seemingly unending process which continues till today. Pakistan, it appears, is next on the hit list. It is now abundantly clear that Pakistan, the only nuclear power in the Islamic world, will soon be denuclearized and emasculated.

Why is there no public outrage? Why is the opposition keeping so quiet? Why this conspiracy of silence?

One thing is clear. Today the true guardians of Pakistan are the people of Pakistan. People power alone can save Pakistan. Time and again - in 1789, 1848, 1871, and 1968, to name only the most historic years - mass protests have kicked out foreign intruders and their agents. Our rulers and their masters in Washington know that the street is all they have to fear. Confronting them has

now become a patriotic duty. Today there is no other path for our country, but the one, which led to the restoration of Chief Justice Iftikhar Chaudhry.