



Crisis in Leadership in Pakistan: It's Fallout

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With the removal of a leader by draconian laws, who was elected twice with people's mandate, the government of Pakistan is caught in a crisis of political decision-making. Prime Minister Shahid Khaqan Abbasi, was selected by Nawaz Sharif as a stopgap arrangement to run the government till the general elections in July 2018. But after he took over, Pakistan has witnessed how easily the government can be coerced by radical groups, the lack of political will of the leader in taking stern decisions and failure to tackle challenges in the domestic political space. For that reason, radical religious political forces have gained prominence, challenging the government, through major dharnas and sit-ins, blocking major areas for days and creating problems for the rest of the population.

The judiciary, in order to protect the civil liberties of the people, is forcing the government to take steps so that the blockade by the protestors gets lifted. Due to the lack of political will and inability of the civilian leadership, negotiations are failing, ultimately leading to violence, loss of property and lives. The paper will first point out how the judiciary, while making attempts at curbing corruption has weakened the executive and the legislature. The paper will then discuss the outcome and challenges that the existing elected government and leadership is facing in the provinces as well as in the federal government, which is ultimately challenging the legitimacy of the government. It will try to assess what may be the future impact of such events on the Pakistani polity.

The Forceful Structural Decay of Democratic Institutions

The Pakistani judiciary became instrumental in removing a popularly elected leader in a vindictive manner. After the dismissal of Nawaz Sharif on Jul 28th 2017, the Sharifs remained the principal political decision-makers in the Pakistan Muslim League - Nawaz (PML-N) setup. The present Prime Minister Abbasi included, senators were being handpicked by Nawaz himself. But then came the second verdict on February 2018, when the court barred Nawaz from leading PML-N, annulling all decisions taken by Sharif as head of the party, including nominations of

candidates to the Senate. The final blow came as the third verdict on April 13, 2018, when the court made it clear that Nawaz Sharif will not be able to contest elections for life.

Due to such verdicts, the PML-N faces a sudden vacuum, as it was a party based on a single personality. It was the only party in Pakistan that garnered mass support in most of the provinces, on the basis of the popularity of Nawaz Sharif. No other party, including Pakistan People's Party was in a position to challenge the PML-N in the poll booth. But a political vacuum of leadership has been created by the judicial verdicts, which led to the forceful exit of Nawaz Sharif from the political space.

With the dismissal of Nawaz Sharif, the principle contenders for heading the party were Nawaz's brother and Punjab Chief Minister Shahbaz Sharif and Nawaz's daughter Maryam Sharif. On February 28, after the courts declared that Nawaz couldn't lead PML(N), the leadership passed on to Shahbaz, while Nawaz became the 'Quaid for life' or the Supreme Leader. Nawaz remained the principal decision-maker that way, as there was still hope that the courts will allow him to contest the federal elections. But with the lifetime ban, Nawaz's chances of re-election have been quashed. Thus, in the forthcoming federal elections, Maryam Sharif or Shahbaz Sharif would be contenders for the prime ministerial post from PML-N, as they will try to woo votes using the Sharif credentials.

The removal of Nawaz Sharif was done through recourse to a draconian Article 62(1)(f), a law that was brought in by General Zia-ul Haq and a mechanism provided to the judiciary by the military to judge the character of elected parliamentarians. As the law did not specify the duration of disqualification, there were hopes within party circles that the disqualification would be removed before the elections were announced, and Nawaz will be able to file his nomination. But the third verdict of the court makes it clear that Nawaz will not get that opportunity.

Nawaz Sharif and Maryam have tried to protest against the rulings of the judiciary, which has been widely covered by Geo TV, which is one of the important private media houses in Pakistan. However, as it was covering the removal of Nawaz and took the position that the judiciary was unjust and vindictive, and airing the speeches of Nawaz Sharif, it was blocked and taken off the air across the country in the first week of April. When they approached the courts, it was found that the Pakistan Electronic Media Regulatory Authority (PEMRA) had not issued any directive to block the network. Interior minister Ahsan Iqbal also clearly stated that government has not given any order of suspension. The court also stated its ignorance regarding the matter. Officials of Geo TV alleged the role of the military in the suspension.¹

Later, on April 16, a three judge full bench of the Lahore High Court, passed the order to Pakistan Electronic Media Regulatory Authority (PEMRA) to make sure that no TV channels air any "anti-judiciary speeches" in the future.² This order was misinterpreted by the Pakistani media, and it was reported that the order was specifically against Nawaz Sharif, Maryam Sharif and officials of the PML-N only.³ A member of the bench has asked Attorney General for Pakistan (AGP) Ashtar Ausaf Ali to find the source of the fake news and investigate into the matter.⁴ The

channel was allowed back on the air on April 17th after talks with the military on demands it make changes in political coverage.⁵

The incident which happened with Geo TV and the later court order that no TV channels would air ‘anti-judiciary speeches’ shows the link between the military and the judiciary in creating a leadership crisis in Pakistan in the civilian space.

The Pakistani judiciary, which is not accountable except to the Supreme Judicial Council, which is famous for being ineffective, has, step by step, diminished the role of the legislature. Though a huge backlog of cases persist⁶, and the National Human Rights Commission has openly stated that the Supreme Court has failed to stop enforced disappearances⁷, the courts have been rather fast in giving political verdicts. In a recent conference, Pakistan Muslim League-N (PML-N) Nawaz Sharif, Pakhtunkhwa Milli Awami Party (PkMAP) President Mehmood Khan Achakzai, Jamiat Ulema-i-Islam (JUI-F) chief Maulana Fazlur Rehman and National Party (NP) president Hasil Bizenjo expressed concern over “continued interference of the judiciary and the military in the domain of the executive” and warned that the country could face a 1971-like debacle if they did not act now.⁸ Though Nawaz and Maryam Sharif have been extremely critical about the role of the military and the judiciary in the present political situation, Shahbaz and senior leaders of PML-N like Chaudhry Nisar are cautious in blaming either of the two institutions as they feel that doing so might harm the future of the party.⁹

Rise of Religious Political Parties and Groups

Carrying out protests and *dharnas* are part of the democratic process. But if the protests block areas for days at a stretch, blocking peoples movement, creating major traffic issues and stopping trade for days in cities like Islamabad, Lahore, Karachi, Faizabad, it turns into a major embarrassment for the government. With the decreasing secular space, and increasing radical outfits, the voice of the civilian secular space seems to be receding. These radical groups neither care about democratic or constitutional norms. Protests were carried out by Pashtuns on January 27th (nationwide¹⁰) as well as most recently on April 8th (Peshawar¹¹) against encounter and extra-judicial killings and forced disappearances. But the protestors were peaceful and did not block any area or road, followed democratic and constitutional norms, and the demands of the protestors remained unheard.

The major sit-in started in Faizabad when there was an omission to a reference to the Prophet Muhammad (PBUH) in a constitutional bill, which was corrected immediately after it was noted. Under the banner of Tehreek-e-Labbaik Ya Rasool Allah (TLYR), a large number of extreme right-wing Islamic political groups, parties, splinter and fringe groups assembled from 5th of November 2017, demanding the resignation of the law minister. The blockade went on till November 25th. The court demanded that the government take steps so that the blockade of the protestors was lifted. But the government was found to be indecisive and inept, as it later caved in to the demands of the protestors. Law enforcement officials tried to remove the protestors with the use of force which led to large-scale violence, loss of life and property. Instead of being able to tackle the problem, protests erupted throughout the country. Due to the mediation of the COAS,

the government forced the law minister Zahid Hamid to resign, and agreed to the demands of the protestors.¹² COAS Gen. Qamar Javed Bajwa, along with Maj Gen Faiz Hameed played the role of the mediator between the protestors and the civilian government.¹³ This involvement of the army, mediating between protestors and the civilian government was criticised by the judiciary though it was appreciated by Pakistan Tehreek-e-Insaaf (PTI) chief, Imran Khan.¹⁴ The government promised that the Raja Zafarul Haq report, which would investigate the mistake made by the law ministry, would publish its report by 30 days.

Another major protest was carried out by Tehreek-e-Labbaik Pakistan (TLP), followed by splinter and fringe groups. It was associated with the demand of justice for the Model Town incident where 14 sympathisers of the Pakistan Awami Tehreek's (PAT) party were killed in 2014 by the police, which case is still being heard in the courts.¹⁵ The Supreme Court has decided to have daily hearings of the Model Town case.¹⁶

As the government failed to make the Raja Zafarul Haq report public, the TLYR had decided to go ahead with same type of protests and blockade on April 13th. However, the following day the government accepted the demands of the TLYR and handed over the report to the leaders of the Tehreek. They also agreed to constitute committees having two members of the TLYR to investigate the violence that took place during the sit-ins. Law and Parliamentary Affairs Minister Rana Sanaullah will have to clarify his stand before religious scholars and explain his position on the controversial interview in which he allegedly defended a minority (Ahmadis) as Muslims.¹⁷

It could be noted here that during the period of Nawaz's government, such protests were attempted by the moderate Islamist religious-political party of Dr. Tahirul Qadri of Tehreek-e-Minhaj ul Quran, which was later supported by PTI's Imran Khan. But the government seldom caved in to their demands in the manner in which the Abbasi government did.

Radical extremist groups and parties are not only gaining prominence but are also getting promoted and even supported by terrorist groups like Lashkar-e-Toiba or Jamaat-ud-Dawa. Religious extremist political parties like the Milli Muslim League party (having the support of Hafiz Saeed) and Tehreek Labbaik Ya Rasool Allah (who was responsible for the protests and sit-ins in Lahore in July 2017 and got more votes than PPP in a recent by-election in Lodhran, Punjab¹⁸) are examples of such groups and parties. They might play an important role in the forthcoming national elections.

COAS General Qamar Javed Bajwa insists that the military has left the era of coups and democratic tinkering behind, while issuing the so-called 'Bajwa doctrine'.¹⁹ But he has shown significant mistrust of the present civilian government and has laid down a prescriptive path for it. Due to the leadership crisis that has been created, the military has been active in improving its image amongst the masses, acting as mediators with protestors and maintaining peace in civil society.

As the general election is scheduled for July 2018, most of the decisions taken by the judiciary and the rise of radical political parties will have a deep impact. Though the PML-N remains the leading contender, with the removal of Nawaz Sharif there is a crisis within the PML-N. Senior leaders like Chaudhry Nisar Ali Khan, who was the interior minister during Nawaz

Sharif's Prime Ministership remain critical about Maryam Sharif's candidature, and there is a serious attempt being made by Shahbaz Sharif to persuade the dissenting leaders to accept her candidature, which would consolidate her position in the forthcoming elections.²⁰ There is also a chance of other national and regional parties giving a tough competition to PML-N. The main opposition to PML-N, Pakistan People's Party (PPP) under the chairmanship of Bilawal Bhutto Zardari, is making attempts to select suitable candidates for the forthcoming elections. Bilawal has sought an impartial caretaker government for conducting free and fair elections. He also sought support for creating a new province in southern Punjab and was not critical about the judiciary.²¹ PTI'S Imran Khan, though he has fared badly in the by-elections, remains all praise for the army²², gets acquitted by the court as not being corrupt²³, and tries to woo leaders from PML-N and Pakistan People's Party (PPP) to join his party.²⁴ The manner in which the judiciary and the military are interfering in domestic politics, which have been discussed above, shows that they will also be important players in the forthcoming elections.

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 Disclaimer: The views expressed are that of the Researcher and not of the Council.

Endnotes

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