

## Our Man in Islamabad

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Global Research, November 08, 2007

8 November 2007

Region: [Asia](#)  
Theme: [Terrorism](#)

The Islamic Republic of Pakistan was established in August, 1947 when its majority Muslim population separated from British-controlled India and became a sovereign state. Since then, the country has been plagued by wars, political instability, and a series of military coups as it continues stumbling unsuccessfully toward democracy.

Nominally, Pakistan is a federal democratic republic (declared in 1956) under a semi-presidential system and bicameral legislature consisting of a 100 member Senate and larger lower house National Assembly. The President is considered head of state and armed forces commander and chief (in a civilian capacity) and is elected by the Electoral College of Pakistan comprised of both houses of Parliament and the Provincial Assemblies. The Prime Minister is Pakistan's head of government, is elected by the National Assembly, and is usually the largest party's leader.

This is how government is supposed to work in Pakistan, but things are never that simple there. In its entire 60 year history, democracy has been a sham under various elected and military regimes. Musharraf is just the latest military one after he ousted elected Prime Minister Nawaz Sharif in an October, 1999 coup. At the time, few people were surprised as tensions between elements of Pakistan's ruling classes had been building for months. Sharif had grown increasingly unpopular and had Musharraf not deposed him other opposition forces might have done it.

Elected as a champion of democracy, Sharif soon disappointed as did his predecessor, Benazir Bhutto, who's now trying to reinvent herself as a democrat. Massive corruption accompanied his repressive right-wing rule that made his tenure widely unpopular. He sacked thousands of workers, cut food subsidies, let utility costs skyrocket, banned state union sectors and restricted workers' rights to demonstrate and strike. At the same time, he and his cronies siphoned off millions of state funds, amassed enormous wealth, and hid it in offshore accounts. Under his rule, state institutions were collapsing, and workers and the poor suffered most. They wanted change, and the army obliged but not the way most people wanted.

Since taking power in 1999 and appointing himself President in June, 2001, Musharraf engaged in a precarious balancing act and ruled repressively. He tried to secure Pakistan's traditional geopolitical and strategic South and Central Asian interests. In addition, he supported the domestic Islamic fundamentalist right against traditional political elites and popular opposition from below. He also aimed to please Washington post-9/11 under threat of being declared a hostile power if he didn't and was summarily told by Deputy Secretary of State Armitage his punishment would be "to be bombed back to the stone age." To avoid that, he stopped supporting the Taliban and provided the Bush administration vital logistical help in its attack and occupation of Afghanistan.

His reward was not being bombed and over \$10 billion in military and other aid ever since through a virtual unaccountable blank check and blind eye to human rights abuses under his regime. Since he came to power, Musharraf tried to silence all political dissent and did it through disappearances, arbitrary detentions, extrajudicial killings and torture on the pretext of fighting “terrorism.” And as a “war on terror” ally, he launched military assaults against tribal and Taliban forces in Waziristan and Baluchistan, but that caused internal resentment to build against his increasingly unpopular rule. He also angered elements in the military that resent his lust for power and reckless behavior to hold on to it, and that ultimately may be his undoing.

Things came to a boil when Musharraf suspended the nation’s Chief Justice, Iftikhar Mohammad Chaudhry, last March. He accused him of “misconduct and misuse of authority” as cover to remove a key official he thought might block his plan for another five year term as President along with remaining chief of army staff (COAS) that’s constitutionally illegal. He named an interim head justice, effectively placed Chaudhry under house arrest, and ordered the judicial council to investigate corruption charges.

The response to the move was outrage across the board from opposition parties, lawyers’ organizations and human rights groups. They called the action unconstitutional and rallied in street protests against it. At the same time, Musharraf faces other crises that led to his recent actions. The Bush administration wants more from him against the Taliban as well as assurances he’ll be a reliable ally if the US attacks Iran. In addition, Baluchistan’s insurgency has continued for the past two years, and the army has lost hundreds of troops confronting it. That’s caused mounting defections in its ranks, and public anger over it as well.

There are also economic issues because Musharraf adopted Washington Consensus policies that allowed poverty and discontent to grow hugely under his rule. People needs are ignored, social inequity has increased, food prices have spiraled, unions are cracked down on, and over half of government spending is for the military and debt service. In addition, corruption is rampant, the military practices crony capitalism, and Musharraf gets millions from it according to Pakistani analyst, Ayesha Siddiq, in her recently published book – *Military, Inc.: Inside Pakistan’s Military Economy.*” On top of that, democracy in the country is a joke and always has been.

Nonetheless, Musharraf wants to retain power until 2012 and staged a bogus October 6 election to do it. It violated the law and was stage-managed by the military in a process neither free nor fair because the general’s allies dominate the Parliament from having rigged elections five years ago. As expected, Musharraf won easily getting all but five parliamentary votes (252 out of 257) cast and swept the Provincial Assembly balloting as well. Opposition MPs abstained or boycotted the proceeding calling it unconstitutional, and the Supreme Court said no winner could be declared until it rules if Musharraf could run in his joint COAS capacity.

Pakistan has seen increased political upheaval for months. Musharraf wants to keep power by confronting it and intends to stay allied with the Bush administration in the process. At the time though, he said he’d step down as army chief once the Supreme Court certified his election, but the fact remains he has no intention to do it.

Pakistan Post-November 3

That's how things stood before November 3 when the general staged his second coup by declaring a state of emergency and suspending constitutional rule. But that's nothing new in Pakistan's history. The country's first Constitution was adopted in 1956 but was short-lived. It was abrogated in 1958 when martial law was imposed. A new Constitution emerged in 1962 and then annulled in 1969, again under martial law. A third and current Constitution came in 1973. It was suspended in 1977, restored in 1985 with major changes, suspended again in 1999, and restored in 2002 with more changes until Musharraf acted on November 3.

Few in the country with long memories were surprised, and one analyst said it's "back to the past again (in Pakistan)." Another put it this way: "Pakistan's constitutional development illustrate(s)...that a constitutional morality (in the country) has not developed. The document is unable to discipline the political elite, especially the bureaucratic and military elite." Put another way, these comments illustrate that the country is not yet ready for prime time.

Washburn University law professor Ali Kahn explained on CounterPunch that article 232 of Pakistan's 1973 constitution "allows the President (as a civilian) to issue a Proclamation of Emergency under grave circumstances." Kahn also said the Constitution doesn't allow a "wholesale termination of services of Supreme Court judges," thus rendering Musharraf's action an "extra-constitutional coup." But it's not the first time he did it. After seizing power in 1999, he ordered all judges to swear a new oath of allegiance to him as military ruler. Thirteen of them on the Supreme Court refused, were sacked, and then replaced by more compliant ones in a blatantly unconstitutional act Musharraf got away with at the time.

Now he's at it again with a brutal crackdown. After his November 3 action, Musharraf deployed his security forces across the capital; occupied Parliament and the Supreme Court; forced private TV stations off the air; suspended free speech and the press as well as free assembly, association and movement; disrupted mobile phone networks; and placed targeted opposition politicians, lawyers and others under "preventive detention" after empowering police to do it.

He further annulled the Supreme Court's authority to rule against him, the Prime Minister, or anyone acting on his behalf and made it a crime to ridicule the President, armed forces, Parliament or the courts. Last July, the full Supreme Court bench reinstated Chief Justice Choudhry to his post, but on November 3 he was removed again along with six other Supreme Court justices because they refused to endorse Musharraf's Provisional Constitutional Order (PCO) emergency decree. They were also placed under house arrest. The president of Pakistan's Supreme Court Bar Association (SCBA), Aitzaz Ahsan, and other influential lawyers were also arrested as the general hardens his dictatorial rule.

#### Why This Measure and Why Now

Musharraf apparently feared an imminent Choudhry Supreme Court ruling against his October 6 reelection and acted preemptively to stop him. Reports in the country were that he likely knew how the Court would rule and decided weeks ago to quash it in his COAS capacity. Benazir Bhutto apparently knew it, too, and left the country to avoid looking complicit so as not to tarnish her pretense to be democratic. She returned to Islamabad November 6, the country is under martial law with the Constitution suspended, and Musharraf, as army chief, is a de facto dictator.

This event is front page news everywhere with Washington and western leaders feigning outrage. Condoleezza Rice calls Musharraf's move "highly regrettable" while affirming the Bush administration's support for his regime nonetheless. She claims it's because he acted up to now to put Pakistan on a "path to democratic rule" that on its face is laughable.

Washington values Musharraf in its "war on terror" because he backs the Iraq and Afghanistan wars, is apparently on board against Tehran, and he lets the Pentagon use Pakistan territory for cross-border incursions against its Iranian neighbor in preparation for something bigger ahead. To prove it means it, the administration signaled on November 4 it will keep aiding the man George Bush calls one of his most important "counterterrorism" allies, and America values "stability" over democracy.

After the coup, Tariq Ali wrote on CounterPunch and ZNet that Pakistan's largest independent TV station, Geo TV, continues broadcasting outside the country, and one of its "sharpest journalists," Hamid Mir, reported his sources told him "the US Embassy had green lighted the coup because they regarded (Chaudhry) as a nuisance and 'Taliban sympathiser.'" He was at odds with Musharraf for months over key issues, according to Ali, such as "disappeared prisoners, harassment of women and rushed privatizations." The greater fear, however, was that "he might (also be about to) declare a uniformed President illegal" which is likely true and an easy sell to forces opposed to an unpopular leader.

This has been building for months and was the reason behind Washington's wanting a power-sharing arrangement between Musharraf and Benazir Bhutto. Those plans unravelled on November 3 even though Bhutto's criticism of the coup was muted, and reports are she's back to negotiating a deal while, at the same time, rallying her supporters for an opposition November 9 Rawalpindi rally.

Accommodating Musharraf is her only option to return to power (as Prime Minister) and to assure corruption charges against her are dropped. That part of the deal was sealed October 5 when Musharraf signed a "reconciliation ordinance" absolving her of all outstanding charges of looting up to \$2 billion in public funds during her tenure. In her final year in office in 1996, Transparency International, an independent watchdog group, named Pakistan the second most corrupt country in the world even though its standing later improved modestly.

#### Fast-Moving Events in Pakistan

Pakistan remains in turmoil under martial law. Thousands have been arrested including hundreds of lawyers, opposition politicians, journalists and students according to independent sources although the Interior Ministry acknowledges only 1800. In addition, pitched battles are on the streets, and all George Bush can say is we'll "continue to work with (Musharraf and hope) he will restore democracy as quickly as possible." Military and other aid will continue, so it's business as usual, but that's to be expected from two nations with contempt for the law.

Consider this New York Times November 7 quote from prominent Islamabad lawyer Babar Sattar and relate it to US conditions post-911: "How do you function as a lawyer when the law is what the general says it is?" Consider also what lawyer and former cabinet member Athar Minallah said about Pakistan's Supreme Court: "When the (Court) started acting (independently) for the first time in 60 years, they (Musharraf) came down very hard. In the past, the Supreme Court had always connived with the establishment and the military."

That's the state of things under George Bush. He unconstitutionally usurped "Unitary Executive" power to claim the law is what he says it is and once told Republican colleagues the Constitution is "just a goddamned piece of paper." In addition, federal courts, including the Supreme Court, are stacked with supportive right wing justices, and the nation is about to get a new Attorney General who condones torture and approves of arbitrary executive power.

Where this will lead in the US next year and beyond is open to debate. In Pakistan it's anyone's guess as well as things remain fluid and events are breaking fast. January, 2008 Parliamentary elections are scheduled but are likely to be delayed or suspended even though on November 8 Musharraf is now saying, through his state media, the original timetable will be moved back to mid-February. Maybe not according to some observers who believe the political process is on hold until he secures his position as President for the next five years and most importantly continues as army chief because that's where the real power in the country lies. Pakistan's Constitution allows the legislature's tenure to be extended up to a year so it's possible that's the plan.

In the meantime, the Pentagon, Bush administration, Democrats and corporate media back Musharraf even if some in his own military may not. Washington badly needs him with Afghanistan deteriorating badly and Iraq already a hopeless cause. It's even more important given the reluctance of NATO and "coalition" defense ministers to commit more troops and a growing anxiety of some to pull out of Bush's wars entirely. With this backdrop, Musharraf portrays himself as a rock of stability so who in Washington cares how he solidifies power or if he'll accept Bhutto as Prime Minister. For Bush and Democrats, only the "war on terror" matters so any leader backing it is an ally. Bottom line despite muted criticism - democratic credentials are not an issue. Fact is they never are.

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