Protests mount against Musharraf attempt to sack Pakistan's chief justice

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Islamabad and other Pakistani cities have seen violent confrontations in recent days between security forces and lawyers, opposition political activists, and ordinary Pakistanis opposing the attempt of the country's US-backed military strongman, General Pervez Musharraf, to fire the head of the Supreme Court, Chief Justice Iftikhar Mohammad Chaudhry.

To prevent protests last Friday when Chief Justice Chaudhry was to appear before the Supreme Judicial Council, the police detained scores of political leaders. Then, in an attempt to stop live broadcast of the protests, which occurred nonetheless, the police raided the private GEO television station, ransacked the facility, and roughed up many of the station's personnel.

Later that day, Musharraf, who seized power in a military coup in October 1999 and is touted by the Bush administration as one of its chief allies in the "war on terror," found it politic to appear on television and condemn the police raid. While some low-level police were subsequently suspended, according to eyewitnesses the raid was led by senior police officials.

On March 9, Musharraf suspended Chief Justice Chaudhry, accusing him of "misconduct and misuse of authority," ordered the judicial council to investigate corruption allegations, named an interim head justice, and effectively placed Chaudhry under house arrest.

The corruption charges are a transparent ploy. It is well known that the current cabinet and the government benches in the Pakistani parliament are stacked with politicians whom Musharraf induced to defect from Benazir Bhutto's Pakistan People's Party (PPP) and Nawaz Sharif's Pakistan Muslim League (Nawaz) by gathering, then suppressing, evidence of their corrupt practices.

If Chaudhry has been targeted by Musharraf it is because the president, who doubles as the head of Pakistan's chief of armed services (COAS), views him as politically unreliable. This at a time when Musharraf needs a pliant Supreme Court since he is planning to stage-manage his reelection for a further five year-term and remain COAS head indefinitely, both in flagrant violation of the country's constitution.

Under the Pakistani constitution, the provincial and national legislatures constitute the electoral college that chooses the country's president. Convention calls for the president to be chosen shortly after the electorate has selected Pakistan's provincial and national legislators.

However, Musharraf's underlings have let it be known that the general-president is preparing to have the current provincial and national legislatures—chosen in 2002—"reelect" him president later this year. Not only is the mandate of these legislatures five years old, the elections that gave rise to them were a travesty of democracy.

Neither Benazir Bhutto nor Nawaz Sharif was allowed to participate and the military regime placed all manner of restrictions on the election campaigns of the PPP and the other opposition parties. Meanwhile, the state machinery was mobilized behind the pro-government parties and the MMA—an alliance of Islamic fundamentalist parties that have traditionally enjoyed the patronage of the military and have frequently come to Musharraf's aid—was allowed to campaign freely.

Musharraf knows full well that his attempt to fix his reelection and to cling to the post of head of Pakistan's armed forces will be subject to court challenge. If he is to have any chance of withstanding the surge of popular opposition that this latest blatant attempt to perpetuate his dictatorship and rob the Pakistani people of their basic democratic rights will provoke he will need the Supreme Court's stamp of approval.

Pakistan's opposition parties, human rights organizations and virtually all lawyers' organizations in the country have denounced Musharraf's moves against Chief Justice Chaudhry as unconstitutional. The president can, they say, initiate a misconduct case against a chief justice, but he cannot prevent a justice from performing judicial functions, let alone stop him from moving freely about the country.

Even elements in the pro-Musharraf Pakistan Muslim League (Quaid-e-Azam) have sought to distance themselves from the president's handling of the Chaudhry affair. PML-

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Q President Chaudhury Shujaat Hussain said last week, while on a visit to New York, that the suspension of the chief justice was an "internal matter between the army and the judiciary."

The Musharraf regime is enveloped by multiple crises. While the Bush administration is demanding that Islamabad do more to crush the Taliban and expects Pakistan to be on-side in any US military action against its western neighbor Iran, popular opposition to Musharraf's complicity in US aggression is mounting. According to the findings of a recent poll conducted by Gallup Pakistan, 83 percent of Pakistanis say that in the conflict between America and Taliban, their sympathies are with the Taliban and 75 percent are opposed to the US's use of Pakistani air bases.

The resource rich province of Baluchistan has been rocked by a nationalist insurgency for the past two years. And the army was forced to accept a humiliating truce with tribal groups, after losing some 800 troops in an attempt to extend the government's writ into tribal areas that border Afghanistan and have traditionally enjoyed autonomy.

Last but not least, there is growing popular anger over the increased economic insecurity and poverty that have resulted from the Musharraf regime's neo-liberal economic policies. The price of essential commodities has risen by an average of about 50 percent in the past five years.

If Musharraf has survived, it is because of the strong support of Washington and because the bourgeois opposition is terrified that any popular movement will threaten the unity of the military and the power of the Pakistani state that is the bulwark of their own privileges.

Pakistan's courts have traditionally acquiesced before the military and military rulers.

Chaudhry himself has been a party to a number of rulings that provided a legal fig-leaf for the Musharraf dictatorship, including the Supreme Court decision that legitimized his 1999 coup and another upholding the 2002 referendum that installed him as president.

But since becoming the head of Pakistan's judiciary in 2005, he has issued a number of rulings that have cut across the government's agenda, clearly raising doubts in Musharraf's mind as to whether he can be relied on to rubber-stamp the general's "reelection" and, should the need arise, the brutal suppression of any challenge to his rule.

According to BBC, Chaudhry told trainee military officers in February that, in his opinion, "General Musharraf could not continue as army chief beyond his present term as president."

Just a day before his removal, the chief justice heard a case related to "forced disappearances" of persons whom the authorities suspect of ties to Islamacist terrorist groups and expressed strong disappointment over the government's failure to locate the whereabouts of the disappeared. Hundreds of people have reputedly been illegally abducted by shadowy security forces, held without trial, and tortured.

Chaudhry was also the principal author of an August 8, 2006 decision that struck down a deal the government had made to sell Pakistan Steel Mills, the country's largest industrial concern, to Russian, Saudi and Pakistani investors for what most observers considered a fire-sale price. In his judgment, the chief justice said the entire transaction was a "violation of law" and raft with "gross irregularities," fueling public suspicions that members of the government and their business friends stood to benefit handsomely from the privatization deal.

In a judgment earlier this year, Chaudhry further riled the military and government by directing the Balochistan government to submit a detailed report about illegal allotments of 241,600 acres of land to ministers, politicians and other bureaucrats in Gwadar, the site of a massive new port facility.

Musharraf's attempt to sack the chief justice has clearly gone awry. According to Stratfor, a private intelligence firm with close ties to US security agencies, "Musharraf might not be the only casualty to this crisis; the military's hold on power could be weakened once the dust settles."

The Bush administration remains determined, however, to prop up Pakistan's authoritarian regime.

After making a ritualistic appeal for Pakistani police to "allow for free protest," US State Department spokesman Sean McCormack lauded Pakistan's military strongman last Friday: "President Musharraf is a good friend and ally in the war on terror. He has a vision for Pakistan in terms of political and economic and social reforms, and he is proceeding along that pathway.

"Is there more to do? Yes, absolutely.

"But President Musharraf is acting in the best interests of Pakistan and the Pakistani people."

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