Pakistan's new coalition government close to breakup

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The dynastic leaders of Pakistan's two principal political parties—Pakistan People's Party chairman Asif Ali Zardari and Nawaz Sharif, head of the Pakistan Muslim League (Nawaz)—held crisis negotiations in Dubai yesterday, with the fate of Pakistan's new "national consensus" coalition government apparently hanging in the balance.

At issue is when, how, and with what powers the supreme and high court justices purged by President Pervez Musharraf last November are to be reinstated.

Sharif rushed to Dubai, where Zardari is visiting his family, late Tuesday evening. He did so on learning that a high-level PML (N) delegation led by Shahbaz Sharif, his brother and the number two man in the party, had failed to convince the PPP leadership to make good on a pledge to reinstate the judges within a month of the coalition cabinet's March 31 swearing-in.

Negotiations are to continue in Dubai today. But PML (N) supremo Sharif is threatening to pull his party's ministers out of the cabinet if the judges are not swiftly and unconditionally reinstated.

Lawyer associations are also threatening to resume their agitation for the judges' restoration. Last year, under conditions where neither the PPP nor the PML (N) was willing to mount any popular movement against Musharraf, lawyers initiated a movement against the general-president's attempt to dismiss the chief justice of the supreme court in March 2007 and later were in the forefront of protests against the imposition of martial law.

With the tacit support of the Bush administration, Musharraf imposed martial law last November 3 so as to prevent the Supreme Court from ruling unconstitutional his phony re-election as president till 2012, and to intimidate the populace and opposition parties in the run-up to national and provincial assembly elections. At the outset of what proved to be six weeks of martial law, Musharraf, then still the head of Pakistani military, purged some 60 supreme and provincial high court justices whom he deemed insufficiently loyal to Pakistan's military-dominated government.

The PML (N) has been pressing for the immediate reinstatement of the purged justices by prime ministerial order, following passage of a National Assembly resolution condemning their ouster as unconstitutional. Sharif has repeatedly suggested this would and should be the first step in removing Musharraf as president.

The PPP, the dominant partner in the four party coalition government, is, on the other hand, tying reinstatement of the judges to the adoption of a constitutional amendment that would limit judicial powers and quickly remove the sacked supreme court chief justice, Iftikhar Chaudhry, from the bench.

In an interview with GEO television on Monday, Zardari pointed to the role of the purged justices, including Chaudhry, as accomplices of the military regime prior to their falling out last year. "I believe there is a need to reform the judiciary. I was a victim of the judiciary," said Zardari, a reference to the eight years he spent in prison awaiting trial on corruption and murder charges. "Nawaz Sharif, the Muttahida Qaumi Movement (MQM) and the country [were also victims.] We will bring a constitutional change through which old judges will be reinstated and the new ones would remain undisturbed."

The "new ones," it must be emphasized, are those imposed by Musharraf as a result of last November's judicial purge. They swore allegiance to his martial law regime and subsequently declared it constitutional.

Zardari is known to be angered by Chaudhry's willingness to hear legal challenges last October to the National Reconciliation Order, which gave an amnesty to his late wife, the then PPP "life chairperson," Benazir Bhutto, himself, and other politicians for any crimes they may have committed while in office during the 1990s. Adopted on the eve of the bogus October 6 presidential election, the order was the price Musharraf paid for the PPP providing the election a fig-leaf of legitimacy.

But Zardari's attitude can't be explained solely or principally from his attitude to Chaudhry. His stand on the judges issue dovetails with that of Musharraf. The president has railed against Chaudhry as "the scum of the earth" and termed any reinstatement of the judges other than through a constitutional amendment illegal. For Musharraf this is no small matter. To restore the judges with anything less than a constitutional amendment is to effectively state that Musharraf's martial regime, which he subsequently gave constitutional sanction through a series of "amendments" imposed by presidential fiat, was illegal, and that Musharraf is *de facto* guilty of any number of impeachable offenses, if not high treason.

Bowing to pressure from the Bush administration and the military, the PPP has repeatedly signaled that it is opposed to a showdown with Musharraf, who seized power in a 1999 coup, led an authoritarian regime for the next eight years, and continues to wield vast powers under constitutional changes he imposed in 2002.

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In an April 19 interview with the BBC, Zardari claimed that the PPP could not act against Musharraf because it lacks the two-thirds parliamentary majority needed to impeach him or to amend the constitution to strip him of his powers to dismiss the government and national assembly and appoint the heads of Pakistan's armed services.

"For the time being," said Zardari, "we are not breaking up [the] status quo. We don't have the two-thirds majority."

But he then added, "We do not want to harm the country by way of confrontation."

"I think we have more problems than impeaching the president."

What Zardari didn't say was that for most of the year prior to the February elections that saw the routing of the pro-Musharraf party, the PPP leadership was in behind-the-scenes negotiations with Musharraf about a power-sharing deal—negotiations brokered by the Bush administration.

Traditional bitter rivals, both the PPP and PML (N) are seeking to manipulate and exploit the judges issue for their own reactionary ends.

Cut out of last year's attempt by the Bush administration to broaden the base of the Musharraf regime by mentoring a power-sharing deal between the PPP and the president, Sharif and his PML (N) have tried to cast themselves as the party of irreconcilable opposition to Musharraf and the foremost champions of an "independent judiciary."

Undoubtedly this did prove electorally beneficial to the PML (N) in the February elections, especially in Sharif's native Punjab. The PML (N) greatly surpassed all pre-poll forecasts, emerging as the second largest party in the National Assembly and far and away the biggest party in the Punjab provincial legislature.

Focusing on the judges issue also enables the PML (N) to obscure its fundamental agreement with the neo-liberal socio-economic policies pursued by the previous Musharraf-aligned government—policies that not only have produced widening social inequality and increased economic insecurity for Pakistan's toiling masses, but have now plunged the country into a vortex of price rises, food shortages, and power outages.

Speaking to reporters Tuesday evening just prior to boarding his flight for Dubai, Nawaz Sharif declared "the reinstatement of the justices ... the most crucial issue facing the people of Pakistan." In reply to a reporter's question, he said it was more important than maintenance of the one-month old coalition government: "The integrity of the country will remain intact only if the judges are restored. Survival of Pakistan and of democracy will become a dream if the judges are not restored."

The reality is that the judges, including Chaudhry, were for many years hand-raisers for the Musharraf regime and accomplices in its rape of democracy, to say nothing of their role in upholding Pakistan's grossly unequal and exploitative social order.

Insofar as the judges came into conflict with Musharraf it was because they were voicing the resentments of sections of the Pakistani elite over the extent to which the military and its political and business cronies had monopolized political and economic power and their fears that the dictatorship was dangerously provoking popular discontent.

Sharif's political record underscores that he is demagogically trying to exploit the judges issue and is indifferent and hostile to the democratic aspirations of the Pakistani people.

The scion of one of Pakistan's wealthiest industrial families, he began his political career as a protégé of the dictator General Zia al Huq. During the 1990s he and his party repeatedly conspired with the military and bureaucracy to subvert democratically-elected PPP governments. And while he now casts himself as the foremost defender of an independent judiciary, he turned a blind eye when last prime minister, when his supporters trashed the supreme court building because the country's highest court had decided to hear a case against him.

As for the PPP, its concern is to placate the military and the Bush administration, by allowing Musharraf to remain at the apex of Pakistan's political system. A second key consideration is fear of destabilizing the state by provoking a constitutional crisis at a time of mounting economic distress. Last December Pakistan was rocked by mass riots following the assassination of Benazir Bhutto and troops have had to be deployed to prevent riots over food shortages. In mid-April, Multan, the country's fourth-largest city, was convulsed by two-days of protests by textile workers who have been robbed of much of their income by daily prolonged power-cuts. The World Bank had placed Pakistan on a list of 36 countries facing a serious food crisis and needing immediate help.

Zardari's announcement that the Musharraf-imposed "new judges" will be allowed to remain all but precludes successful revival of the legal challenges to Musharraf's re-election as president.

The PPP no doubt would like to keep the PML (N) within a national coalition, because it is acutely aware that the impending economic crisis will require the government to take a raft of unpopular measures, including imposing further hikes in the prices of petroleum products and cutting social spending.

Fearing that the PPP was setting it up to bear the public opprobrium for the coming austerity measures, the PML (N) long resisted the PPP's request that it assume the financial portfolio.

But the PPP is also seeking to shore up its position in the event that the PML (N) should withdraw from the coalition.

This week it struck an agreement with the MQM, which was part of the previous Musharraf-sponsored government, to form a coalition government in Sind, although the PPP by itself already has a majority of seats in the provincial assembly.

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