

Disconnected and Depoliticized in Pakistan: Elite Inaction in Emergency Times

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Context

It has been frequently asserted in national and international media that the imposition of emergency by General Musharraf has been unanimously opposed in Pakistan. While there have been unprecedented protests from diverse groups, the outrage is by no means as widespread as one would expect. Here are just some of the arguments that protestors hear from their friends and colleagues:

- 1) Why are you supporting corrupt judges? All the lawyers are politicized and doing this for their own publicity and power.
- 2) What are you trying to achieve? Do you want corrupt politicians like Benazir or Nawaz Sharif?
- 3) The media was overstepping its boundaries, and the judiciary also became too interventionist. So both were asking for a clampdown.
- 4) Musharraf has been a great leader. Yes, he is making mistakes, but he is still our best and only option.
- 5) Protests will just cause more instability.
- 6) Things will return to normal, so we should just wait and pray for the best.

These are overt and subtle ways in which the emergency is effectively legitimized by the Pakistani elite. In the following piece, I have attempted to articulate my own stance on the issue, and address some of these arguments.

The “Missing People” Case and Judicial Courage

In February of this year, my ride home from work one evening was interrupted by a sizeable demonstration on Shakra-e-Faisal. The protest – as a radio channel informed me – was against the unlawful abduction and detention of “missing people” by our notorious agencies, and was being staged by hundreds of family members and activists who had traveled to Karachi from distant areas of Sindh. As I waited in my car for the demonstration to pass, I wondered: why is the tragedy of forced disappearances not sparking the outrage that it should? Why wasn’t this protest widely publicized, and supported by the so-called civil society? And what was I doing about this? But of course this line of questioning never continues for long. I brushed off my guilt by resorting to the classic “what can I possibly do” and “there is no hope” cynicism, unconsciously told myself that I am working for important (and more convenient) causes like education and health so I do have some sense of social responsibility, put on some music, and eventually drove off.

I kept following the issue though. I had already been reading about disappearances regularly in Dawn and Herald since 2003. Even Amnesty International, The New York Times, and the Guardian had established how more than 500 Pakistanis had simply been abducted by our intelligence outfits with no case and no trace. That under the garb of the

“war on terror”, there was a systematic campaign to capture critics – not militants – but politics activists, students, poets, journalists, social workers, and academics belonging in particular to Sindh and Baluchistan. That instead of recognizing and addressing the exacerbated grievances of people under a neoliberal military-intelligence alliance, the state had decided to crush any expression of grievance with sheer inhuman violence. Some released detainees had harrowing tales of torture to tell. Even those who protested for the sake of their missing ones were humiliated and intimidated – recall the picture of the 17-year old son of a detainee whose shalwar was lowered by the police during a public protest in January this year, before being arrested.

One becomes conditioned to overlook the entire picture when reading about such atrocities on an everyday basis. And so I read about all this with a sense of real but remote “oh, it’s just so sad” concern. Over the course of this year, however, I became more interested in the issue of missing people. This, unfortunately, was not due to any change in my own conscience, but because the issue itself had become more visible – thanks to the legal petitions that the tormented families as well as the HRCP had filed. And the judiciary was responding.

Our state institutions have become so inept, exploitative, and unjust that when an institution finally does its job, we think it has become too “independent” and “active.” We conveniently forget that defending the constitution and fundamental rights is the core purpose of the judiciary around the world. And we fail to even acknowledge – let alone celebrate – the courage with which the expelled judges were withstanding the coercive pressures and bribes from various corners, in order to question long-standing injustices such as political persecution, shady privatizations, and illegal building practices. Which state institution has had the courage to tackle these issues? Most importantly, the judiciary was questioning the unconstitutional and outrageously criminal activities of our intelligence agencies, of which the plight of missing people is but one manifestation.

I will say it clearly: the renewed democratic spirit of the judiciary had been a source of relief for me. I, as a human being and as a citizen, did not have the time, interest, and decency to actually stand up for the sake of social and economic justice. But it was heartening to see that at least one state institution was working towards progressive change in this country. As the law of indifference goes, though, I only observed this process from a distance. And again, from a distance, I witnessed the lawyers’ struggle to contest the high-handed manner in which the Chief Justice was removed. I, surely, did not have the time or the courage. Plus, with all the pomp of the Chief Justice’s rallies, it was convenient not to take a stance. Indeed, why ever take a stance? It is so much easier to sit back, criticize, and be cynical. And to ease your conscience, tell yourself that your business is helping the poor, or that you do not-so-political charity work.

But now, with the emergency – with the wholesale slaughter of the judicial process and the violent suppression of civil society – I think it is simply imperative for me to take a stance. An informed stance.

Yes, *of course*, like all state institutions, the legal institutions are also ridden with misconduct and corruption. At many critical junctures, the judiciary itself has contributed to the undermining of the Constitution. But in recent years, it is only the judiciary that has had the courage to show that it has at least some sense of social and political responsibility. If it was so corrupt and power-hungry, why would it take up cases that challenge the elite and military-dominated status quo in the country? Following its own history, it would succumb to bribes and threats, and play along. But it didn't. And the missing people's case is the prime testimony to this courage.

The missing people's case also underlines something that is often ignored in analyses of the emergency: the suppression of activists, journalists, students, and academics is not something new and sudden. Yes, the scale is large, and for the first time, elite human rights activists and professors have also been arrested. But we must not forget that this has been a long-term trend, and that a systematic campaign to capture critics has been an appalling state policy for at least four years now. Newsline, Herald, HRCF, national newspapers as well as international media have repeatedly covered the brutalities of this policy. While media channels may have exploded in Pakistan, let's not forget that the South Asian Free Media Association named Pakistan the worst country in terms of the harassment of journalists in 2006. Hence, the current suppression of the media is also a stark manifestation of a continuing tendency.

Military Extremism and Musharraf's Islamization

Why are we so keen to assert that the media and judiciary have overstepped their bounds, but not recognize the *extremism* and *interventionism* of the military and the intelligence agencies? I will readily acknowledge that the media and judiciary have severe failings that need to be addressed. But how can we ignore that there is a fundamental *asymmetry of power* between a military-intelligence establishment on one hand and the media or the judiciary on the other? The Supreme Court and media can be massively irresponsible and corrupt, but they will never have the capacity to amass wealth and power, and terrorize citizens like the military-intelligence alliance that currently rules the country. Who will hold the latter accountable?

The military has become the biggest corporate entity and interest group in the country, and inserted itself in literally every economic, social and political institution including textbook boards, universities and highway authorities. All this has not been achieved "cleanly," but involved massive corruption, intimidation, and back-door deals. It is different from regular "fill up the bank account" looting since it involves the setting up and expansion of a huge empire that grabs land, monopolizes markets, and dominates political and social institutions. This extent of political and economic dominance will live on regardless of the fate of today's dictatorship. Amongst other devastating consequences, it has also severely affected the professionalism of the army – as argued by several analysts and retired military officers.

Repeated military rule in our country has not only stifled the process of democratization but also helped to promote religious extremism. Yes, Musharraf is no Zia, and as a

person, may indeed be a secular guy believing in “enlightened moderation”. But this is no justification for overlooking the critical role that both the military and intelligence agencies have played in creating and supporting Islamist militancy. Have we forgotten that it was in Musharraf’s regime that a religious alliance was brought into power for the first time in Pakistan’s history – and allowed to form a government in NWFP – while all secular-nationalist parties had been suppressed and even banned from rallying? And this was not a coincidence. The military-mullah alliance is not a myth – it is a long-standing relationship that became particularly strengthened in the Afghan War (1978-1989) when the ISI, Saudi Arabia, and the U.S. government directly trained and equipped thousands of Pakistanis (not just Afghans) to become militant jihadis. The Pajero-driven, gun-toting mullah emerged during this period, and has continued to be patronized by agencies to fight our dirty wars in Afghanistan, Kashmir, as well as within Pakistan.

Since 2002, the formal establishment of a religious alliance in NWFP has paved the way for legitimizing a conservative and repressive Islam. NWFP may not have had a very liberal society, but the intimidation of barbers, tailors, X-ray assistants, CD sellers, female health workers, NGO activists, and administrators of girls’ schools is a *recent phenomenon* that is directly linked to the support of religious elements by our military-intelligence establishment. JUI was never even on the political map till it got political legitimacy by the army. And it is the ISI’s support of the Taliban and religious parties that has emboldened the likes of Sufi Muhammad and Fazlullah. We must ask: why is it that reporters associated with KTN, Sindh TV, and *Intikhab* have been abducted and tortured, while Fazlullah’s FM radio was allowed to operate freely?

The biggest travesty is that Musharraf is using the self-perpetuated threat of religious militancy to justify his rule, claiming that he will be the force of stability. This is simply a contradiction in terms. Musharraf’s rule has made us second only to Iraq in terms of bombing operations and suicide attacks; hence, he is not even able to hold his ground in his own terrain which is national security and defence. What more has to happen for us to recognize that Pakistan has been destabilized for a long time now, and that the unquestioned and unaccounted practices of the military and intelligence are hugely responsible? Some people say: ok, so the army and agencies created the Pakistani Taliban, and now that the fundamentalists are on the offensive, only the army can reign them in. Such an approach is even more misguided, as it will only worsen the oppressions of military rule. Further, years and years of breeding religious militancy and encouraging Islamist politics will not go away with bombing Waziristan and Swat. We need a long-term strategy involving rehabilitation, economic incentives, and political negotiation. Just like we are still struggling with Zia’s Islamization, we will be fighting Musharraf’s Islamization for a long time to come.

The Meaning of Democracy

Because of the repressive tactics that the army routinely employs, military extremism and absolutism has remained *publicly invisible* to a large extent. Does this mean we ignore it? Supporters of Musharraf’s regime argue that he gave us economic growth. Does this justify the militarization of state, economy, and society? Does this validate systematic

oppression and violence? I couldn't bear the television coverage of the Lal Masjid episode, does this make the silencing of critique under PEMRA acceptable? I have personally experienced the gender biases and callousness of our courts, does this mean that the entire Supreme Court should be disposed off?

This is the time to make distinctions. We need to recognize that the current struggle is about protecting the Constitution, and about resisting the wholesale annihilation of the rule of law. It is not a personality contest between Musharraf, Benazir Bhutto and Nawaz Sharif. Protestors are not impulsive fools who love Benazir or Nawaz Sharif – they are as disillusioned with “democratic” regimes as anyone else. Does this mean that we should now give up all hope and respect for political process? Do we simply accept the kingdom of a military dictator? We want a ready-made, perfect leader to lead us, but are unwilling to allow her or him to emerge because we keep accepting rampant abuses of the political process. The lesser-of-the-two evils argument just does not work: a military dictator is not accountable to anyone, will entrench the interests of the army, and will eventually show his true colors. And political history around the world has shown that a military dictator claiming to bring in “democracy” is a contradiction in terms. A political party still needs to get re-elected, and a rule that says no leader can be Prime Minister twice will ensure that new leaders will come up. The political spectrum is not even as limited as we think it is. There are several regional parties, the Labor Party, and the Tehrik-e-Insaaf which can promise to play a strong role in the future. But parties like the JUI and PML (Q) will only strengthen the forces of religious and military extremism.

Let's assume that all parties are corrupt. Let's think about how India had an emergency under Congress in the 70s, and a systematic genocide of Muslims under BJP. Let's remember how the U.S. under Bush is continuing to devastate Afghanistan and Iraq. Does this mean that the militaries in the two countries should take over for the sake of “stability?” Democracies do not work perfectly *anywhere*, yet they are the most common form of governance because they come the closest to ensuring both accountability and stability.

Ultimately, democracy is not about procedural elections, but about the substantive principles of liberation, egalitarianism, and justice. The democracies of the world have gotten to where they are because of citizens' engagement. Self-determination and democracy was not given on a platter by monarchs and colonizers – every victory was a result of protests, struggles, and social movements. Let's not simplistically equate *any political party's* reinstatement with a “transition to democracy.” In our country, the transition was already happening thanks to the renewed strength of our Supreme Court. It is the continuing struggle to resist the emergency, restore the Constitution, and reinstate the Supreme Court that is the actual stuff of democracy – it's democracy in the making – and we need to support it in every way that we can. And if and when we succeed, the struggle by no means is over. Military dominance, political corruption, religious extremism, media sensationalism, and judicial negligence will not magically disappear. Instead of dwelling in self-serving apathy and cynicism, we, as citizens, need to constantly play our part in reforming the status quo and striving towards a better future

for our country. That is everyone's responsibility, not just of judges, military officials and politicians.

Cynicism is the Opium of the Elite

As elites, consumed by our work and social lives, we have been too depoliticized and disconnected to care. We don't even follow the news regularly, and may not know how the judiciary was upholding several causes of social and economic justice. There have been hundreds of petitions of aggrieved citizens who requested the Supreme Court to hear their voices, or take suo moto action, because they had no other recourse. And the judiciary was listening. It might have been corrupt, brash and naïve, but it showed concern. And unlike the shameless legislature, executive, and most of the citizenry, the lawyers and judges who have been hounded for months are still bravely refusing to accept an elitist and military-dominated status quo. What power are they getting by risking their lives and the security of their families? Why, for once, can we not think about their struggle with the seriousness that it demands?

It's all too easy to disparage protesting students as well by saying that they are immature, trying to act cool and pseudo-revolutionary, or just joining the bandwagon. Why are we so bent on dismissing them instead of giving them credit? If students are protesting at an unprecedented scale, surely there must be something about the situation that is sparking this agitation? They are not protesting for party politics, nor simply because their own professors have been arrested. They are genuinely frustrated, and refuse to watch tyranny take root. Life and politics is messy and confusing, so they obviously do not have all the answers and are also uncertain about what the future will bring. Yet, despite tremendous fears in these times of repression, they have the integrity and courage to take a stance.

And like them, we all must take a stance. This is not the time to dilly-dally and say: "I don't support the emergency *but* the protests are not worthy enough a cause" and "I think the repression is inhuman *but* we have to see what choices we have as a nation." As Howard Zinn said in the *People's History of the United States*, it's where you put the "but" that makes unjust use of power and violence possible. One can instead say, "Musharraf did many good things for the country *but* a violently enforced military-mullah-intelligence alliance with no respect for rule of law and civil liberties is simply unacceptable."

One can criticize *any stance* – which is only a way to not take any stance at all. It is *always* convenient to sit back, observe, and be critical and cynical as if that makes us all intellectual. This is the surest way to escape ever standing up for anything, and masking one's own ignorance, and unwillingness to engage. But silence is a form of political action, and it has strong consequences especially in these severe times. By not standing up and vocalizing our discontent with this kind of draconian action, we are implicitly telling the regime (and all subsequent regimes) that it is ok for them to do whatever they please, and we will sit idle like innocent bystanders. Our fatalistic ("whatever will be will be"), over-critical ("I don't agree with anything"), and cynical ("this is such a crazy

farce”) postures are not only unfair to those who are willing to struggle and sacrifice, but they in effect help to sustain the status quo.

If we are scared of instability due to protests, and Musharraf’s departure, we must ask ourselves: what is our definition of stability? Is rising military and religious extremism not enough? Is the decimation of the highest judicial institution not enough? Are over 5,000 indiscriminate and unlawful arrests not enough? What about the anti-terrorism and sedition cases against innocent people? Are the laws for court-marshalling citizens also acceptable, so the army-intelligence regime can simply press “delete” on citizens like it did on the Supreme Court? Is the “Musharraf is necessary” theory so unfalsifiable that no amount of violence and human rights abuse will move us into action? Do we believe in any values, and have we ever stood up for anything? Does it really have to be the intimidation or arrest of a loved one that shakes us out of our apathy?

If we don’t have the courage to protest ourselves, we should at least not trivialize and ridicule the efforts of those who do. Better still, we should express our solidarity, lend support, and actively shape this defining historic moment. We always have a choice.

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