

# Agenda for the opposition

Pak. Pol. & Govt

By Anwar Syed

Daw

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THE Alliance for the Restoration of Democracy (ARD) and the Muttahida Majlis-i-Amal (MMA) have been talking of launching a mass movement to dislodge General Musharraf from one, if not both, of the posts (president and army chief) he occupies at present. Their objective may be sound, but their intended *modus operandi* is problematic. Mass movements can become very messy and destructive, and they do not always produce the desired results.

Is there another way? I think there is, and that is to take the issue to the Supreme Court if the general does not give up his army post by the appointed day. The launching of a mass movement can be considered as a second, or even a third, option.

Chaudhry Shujaat Hussain thinks a majority vote in parliament will devise a way to enable the general to keep wearing both hats. This position will not pass muster at the Supreme Court unless some hitherto untold interpretation of "necessity" comes in to guide its deliberations. He is apparently relying upon Article 63 (1-d) of the Constitution, which says that a person shall be disqualified from being elected, and from remaining, a member of parliament "if he holds an office of profit in the service of Pakistan other than an office declared by law not to disqualify its holder."

It follows that parliament can pass a law that will allow the army chief of staff to become a member of parliament, assuming that it can override his constitutionally prescribed oath of office in which he undertakes not to engage "in any political activities whatsoever." (Article 244, and Third Schedule)

Now read this particular provision with Article 41 (2) which says that "a person shall not be qualified for election as president unless he is . . . qualified to be elected as a member of the National Assembly." Shujaat Hussain and company figure that they will get parliament to pass a law that makes the army chief eligible for membership. Having become eligible for election to the National Assembly, General Musharraf will also have become eligible for election as president.

So far so good: let us assume that all of this may be possible, and then ask what happens after the person concerned has been elected as president. Can he remain president at the same time that he is the army chief of staff?

The answer in my view is a resounding no, for election to an office is not the same as occupation and retention of it. Upon his election, Article 43 (1) of the Constitution will apply. It says: "The president shall not hold any office of profit in the service of Pakistan or occupy any other position carrying the right to remuneration for the rendering of services." It follows, as day follows the night and night the day, that immediately upon taking the oath of office the presi-

be placed fairly low on the list. For one thing, it is not clear what the slogans will be. No one with any understanding of politics will expect the masses of people to come out on the streets, and remain there long enough, because the "supremacy of parliament" is being eroded. Howsoever noble this cause may be, it is too abstruse to be exciting. Even those few who understand it, and approve of it in principle, will lose no sleep over the diminishing of our parliament, when they recall how poorly it has performed even when its presumed supremacy was intact.

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may not understand why and how the general's occupation of two offices at the same time is antithetical to democracy. It seems to me that this issue cannot be efficacious for the purposes of launching a mass movement unless it is joined with that of the people's deprivations.

Some of the deprivations are esoteric and difficult to handle. Take, for instance, the issue of provincial autonomy. It has no value in the context of political agitation unless it is translated to mean that some outside agency (namely, the central government dominated by Punjab) is usurping the rights, and stealing the resources, of the smaller provinces and thus reducing their people to abysmal poverty. There are obviously no takers for such reasoning in Punjab.

The issue of provincial autonomy is indeed linked with the issue of deprivation in Sindh and Balochistan but it will have to be left to the "nationalist" parties and groups in these provinces. The ARD and MMA, both of which will want to keep their support bases in Punjab, cannot do very much with it. The same holds for the related issues of water distribution and revenue sharing.

Deprivation will not make a good slogan in NWFP, for here the MMA itself is the ruling party. It must bear at least part of the blame if it chooses to speak of continuing poverty and insufficient access to civic amenities. There is generalized dissatisfaction in the province with the proposed Kalabagh dam and the fees that should accrue on account of electric power generation. But, on the whole, voices against an outsider's dominance and exploitation are no longer as strident as they were, let us say, 25 years ago. Many of our Pakhtuns have

fighting terrorism and its perpetrators (Al Qaeda, Taliban, extremists, militants, fundamentalists) they have killed tens of thousands of Muslims in Afghanistan and Iraq, destroyed their homes, and laid their lands to waste.

Having said all this, the MMA will say: And, General Pervez Musharraf has chosen to be an ally, indeed an agent, of these enemies of Islam and the Muslim ummah. This could indeed be an explosive issue, and one that might be capable of bringing people out on the streets. For good measure, the MMA will probably add that, directed by America, the general intends to sell the Kashmiri Muslims down the river to appease India.

An anti-American, and peripherally an anti-Indian, movement launched in the name of Islam might cause the present government a good deal of trouble. But other-

wise it would be both deceptive and dysfunctional: first because Islamic extremists do threaten our own national integrity and, second, because Pakistan's need for American support, and its consequent status as a junior partner, would not cease if General Musharraf's government were to yield to one headed by Maulana Fazlur Rehman.

But will the MMA be actually able to launch a mass movement? A couple of inhibiting forces may be mentioned. Parties and groups in the ruling coalition, both at the centre and in the

provinces, will oppose it; the government's "secret agencies," which are said to have had friendly relations with the MMA components in the past, will intercede, bearing both the proverbial "stick" and "carrot"; Benazir Bhutto will not want to adopt a strong anti-American posture, and even Mr Nawaz Sharif may be reluctant. There are other influential politicians in the country who do not like the MMA and its programme. I recall that a couple of months ago a spokesman of the Awami National Party (ANP) declared that under no circumstances would his people ever cooperate with the MMA. What are the general's opponents then to do? In the first instance, I think, they should wait to see which way the Supreme Court goes. Even if it goes with the general, the idea of launching a mass movement should be given up. Such movements have done us no good in the past: the anti-Ayub movement brought us General Yahya Khan whose policies caused the country's defeat and dismemberment. The anti-Bhutto movement in the spring of 1977 saddled us with 11 years of Ziaul Haq's disastrous rule.

In the unlikely event that the Supreme Court favours General Musharraf, the opposition should do what the opposition in democracies usually does. It should continue to criticize the government in appropriate forums (in the assemblies and in public meetings outside) by way of preparing public opinion to defeat the present government in the next election. While it might still talk a bit about the supremacy of parliament and the separation of the military establishment from politics, it should focus on issue that touch the lives of our people more directly: expanding poverty, rising

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The Seventeenth Amendment had placed Article 43 (1) in abeyance until December 31, 2004, but it will surely become operative as of January 1. If on that date General Musharraf is still found to be holding on to his uniform, the opposition can go to the Supreme Court for a writ of quo warranto and see where the chips fall. If they fall at the wrong place, it can examine its other options.

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The accommodations he has allowed America can be made into a volatile issue. Many Pakistanis, in all ranks and classes, are inclined to believe that the American government is directed by persons who are the enemies of Islam and the Muslim world, want to subjugate Muslim nations and rob them of their resources. On the "pretext" of

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