



### **Jubilation at ruling on Pakistani judges**

**The reinstatement of the chief justice and others who campaigned against government corruption heralds a shift in Pakistani politics.**

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ISLAMABAD — Soon after midnight, the crowds started gathering outside the house of former Chief Justice Iftikhar Chaudhry, which sits at the top a winding road on a green hill in the capital.

But it wasn't until just before dawn that the news they had all been waiting for finally arrived: Pakistani Prime Minister Yusuf Raza Gillani announced in a televised speech that, on his order, all judges deposed by the former president, Pervez Musharraf, in November 2007, including Chaudhry, would be reinstated.

"Let us all celebrate this historical event in a respectable manner," he suggested.

And celebrate Pakistan did. The crowds outside the judge's house erupted. In one corner of the yard, a group of college students and human rights activists sang nationalistic folk songs to the tune of an electric guitar. A large group nearby, workers and supporters of Jamat-e-Islami, Pakistan's largest Islamist party, chanted "Allah-o-Akbar," or "Allah is Great."

For the thousand or so in the judge's yard, and for many millions across this country, the news marked a fundamental political shift — and judging by the reactions of those on the hill, by change that many here can believe in.

The supporters of central opposition leader, Nawaz Sharif, roared in support of the "Tiger of Punjab," and the Justice Party's supporters recited revolutionary poetry into megaphones. Parents with young children, who stood at the periphery of the crowds, joined in the cries of "Long Live Pakistan."

Then there were hundreds of lawyer's chanting in support of Chaudhry: "Chief: Your support is endless," they yelled, a popular cry for the movement for Chaudhry's restoration heard in street protests over the past two years.

The several thousand marchers en route from Lahore to Islamabad over the weekend, threatening sit-ins that would have crippled the capital, turned back after the prime minister's announcement. It was a break for President Asif Ali Zardari, although he may not be breathing any easier.

Over the past few weeks, he has alienated many within the party he inherited from his wife, the late Benazir Bhutto. His political rival, Sharif, had cornered him into submission with an awesome display of crowd power despite Zardari's crackdown on protesters. The president, who fought tooth and nail against the return of Chaudhry, is likely discomfited by the thought of a tough judge in courtroom number one at Pakistan's Supreme Court.

Besides the expected assault on his presidential powers in the legislature, Zardari can now also expect his rivals to use the courts to weaken him.

There is likely also going to be a challenge to the formal deal with Musharraf that granted Zardari amnesty in several court cases against him. The same deal opened the way for Zardari to return to Pakistan and become president.

But questions about the procedure to bring back the judges remain: Will the chief justice be required to take a fresh oath of office? Will the additional judges added to the Supreme Court since his dismissal keep their posts? These are technicalities, but very important for the lawyers and legislators involved in what is being called by some here a legal "soft revolution."

The two-year-old movement for the restoration of the judiciary, which swept through the streets, the courtrooms and halls of power of Pakistan, has little precedence in the country's history. The movement's leaders have said that an empowered judiciary is the missing link in Pakistan's democratic process — a system that is ranked as one of the most corrupt in the world, which has been plagued by unworkable legislatures and where the army reigns supreme.

On paper, the courts have always been empowered in Pakistan — every military dictator in Pakistan has had to go to the courts for approval to rule. But in reality, the courts have also been corrupted and subservient to the army.

Chaudhry, his supporters maintain, is uncorrupted. He also led the Supreme Court bench in a decision to stand up to Musharraf and deny him presidential office. Had the court been permitted to carry through the ruling, the balance of power would have tilted away from the military. However, all judges who sided with the decision were immediately dismissed by Musharraf.

On Sunday, over the noisy celebrations in the night on Chaudhry's front yard, Athar Minallah, a spokesperson for the judge, told the media that he hoped that the "doctrine of necessity" used by courts to justify military rule for five decades was "forever buried."

If so, Pakistan is likely to enter a period in which political power, presently divided between the army, the judiciary and the landed political elite, is about to be shared around, possibly even to the man on the street.

While America relies on Pakistan to help in the war in Afghanistan, a redivision of political power that encourages democracy may be welcomed in Washington. But it may also give all parties, including religious parties, more space, something America is still wary of.

Twenty-four hours after the announcement on Chaudhry, his front yard was still hosting a constant stream of lawyers and visitors waiting their turn to shake hands with "the chief," who will return to his position as the country's top judge on March 21.

Sardar Muhammad, a lawyer at the Multan High Court, pushed his way out of the crowd at the front gates. He had just met the chief justice, he said, who seemed elated. "It's been two years," he said, with a smile. "We did it."

Walking to his van and moving aside an old lantern in his trunk, he shows a stretch of thick rope which he says he was prepared to use to stage his own public hanging if the chief justice had not been reinstated.

"I feel alive," he says, "This is a new life."