
The Only Enemy Pakistan's Army Can Beat Is Its Own Democracy

The country's prime ministers have always come and gone at the behest of the generals who really run the country.

BY **C. CHRISTINE FAIR**

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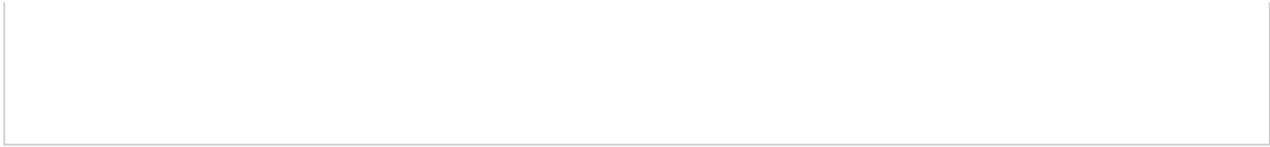
Pakistan has a new prime minister — at least for now. Last Tuesday, Pakistan's parliament held a special election to replace Nawaz Sharif of the Pakistan Muslim League-N (PML-N), who was ousted in a judicial coup last week. Shahid Khaqan Abbasi, a staunch Sharif loyalist, is expected to keep the prime ministerial palace warm while the PML-N arranges to secure a seat in the parliament for Nawaz Sharif's brother, Shehbaz Sharif, in a coming by-election and as a prelude to hoisting him into the prime minister's seat.

It is not surprising that Nawaz Sharif has been ousted. What is surprising is that he managed to hold on for so long. The army had its sights on Sharif before he was even sworn in after winning an unpredicted landslide victory in the 2013 election. It had already taken him out of office twice before. Shehbaz Sharif is much more palatable to the army. Unlike his brother, he has eschewed confrontation and has even maintained cordial ties with the generals.

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Such are the prerequisites to holding power in Pakistan. Whereas many countries have an army, the Pakistani army has a country. For Pakistan's powerful military, the notion of actual democracy is contemptible. The army long ago arrogated the right to step in whenever it felt wanted and repeatedly reminds Pakistanis that civilian leaders are the bane of the nation while the army is the only savior. Whether directly or indirectly, the army has ruled the country since the first Pakistani army chief — Ayub Khan — staged a coup in October 1958. It has done a far better job hanging on to power than it ever has at winning a war.

Since 2008, when democracy was formally restored after Gen. Pervez Musharraf's nine-year dictatorship ended, Pakistan's predatory praetorians have faced a looming problem: Democracy, however flawed, was taking root right under their **well-groomed moustaches**. Although the general election that brought Sharif to office was **not pristine**, it was the first time that a democratically elected administration had completed its term (although not without considerable havoc ginned up by the army) and handed power over to another democratically elected administration.

Between 1988, when democracy was restored after the demise of Gen. Muhammad Zia-ul-Haq in a **plane crash**, and 1999, the army connived to depose the governments of Benazir Bhutto in 1990 and in 1996 and that of Nawaz Sharif in 1993 and ousted Sharif — again! — in a bloodless coup in 1999. But given that democracy had managed to weather the storms since 2008, Pakistan watchers were cautiously hopeful that, as democracy became more routine, the military would have an increasingly difficult time undermining governments and staging outright coups. The problem is the generals recognized the same and contrived to prevent democracy from sinking its roots too deeply.

In addition to this general concern about maintaining its primacy in national politics, the military had special cause for concern about Sharif. The military has a long memory and so did not forget that Sharif had previously exercised his constitutional prerogative to replace the army chief, **Gen. Jehangir Karamat**, in 1998 with Musharraf. (This was surely not Sharif's best idea, as history demonstrated.) Nor would it forget that Sharif tried — but failed — to oust Musharraf in turn after he orchestrated the 1999 **Kargil War** with India, which ended in ignominy for Pakistan.

Worse yet, Sharif did so while Musharraf was in Sri Lanka and refused to let his plane land in Pakistan with virtually no fuel and nowhere else to land. The military **concluded** that this was an attempt on Musharraf's life and put the coup into motion. Musharraf, apparently in an act of grace, did not hang Sharif; rather, he exiled him to Saudi Arabia.

Sharif had a long memory, too. When democracy returned, Sharif only demanded that Musharraf be tried only for the 2007 suspension of the constitution and not for the 1999 coup itself. But the very thought of one of their own being tried for a treasonable offense sent the men on horseback into a vertiginous panic. This would not simply be a trial of Musharraf but of the entire institution and its presumptions about its proper role in the governance of the country. The trial never actually happened — thanks to unrelenting army pressure — and Musharraf still lives in comfortable “exile” in Dubai and London, where he has mysteriously been able to afford **luxurious flats**.

Given his relative strength, Sharif sought to assert a whit of civilian control over the country's bloated military. He took over personal oversight of the **defense and foreign affairs portfolios**, which had previously been left to the military. He was vocal about pursuing better ties with India and sought to expand economic and other ties with the army's eastern nemesis. Sharif **engaged** Indian Prime Minister Narendra Modi at every opportunity.

And, in an act that the military saw as verging on high treason, Sharif had the temerity to argue for jettisoning the age-old strategy of manipulating Afghanistan to obtain “**strategic depth**” against India. Sharif also committed to negotiate with the Pakistani Taliban, which has savaged the country for more than a decade. The army, for its own reasons, wanted to launch a selective **operation** against the group in Pakistan's North Waziristan area, which it did in June 2014. Operation Zarb-e-Azb, which ended in April 2016, was so “**successful**” that the army had to launch yet another operation in early 2017 called “**Operation Radd-ul-Fasaad**.”

While the army had been gunning for Sharif since he returned to power in 2013, it was constrained in its options. Given that Sharif's won an outright parliamentary majority, the military could not simply rely upon coalitional shenanigans to bring his government down. Worse yet, no matter what domestic hijinks the army cooked up by making good use of a lothario cricketer-turned-politician named Imran Khan and a Pakistani-Canadian activist cleric named Muhammad Tahir-ul-Qadri, Pakistanis were not clamoring for the army to come in and rescue them.

The constitutional provision that the Pakistani army had previously relied on to unseat governments was also no longer available to it. This amendment, known as 58(2)(b), was introduced in 1985 and turned Pakistan's parliamentary democratic system, which featured a strong prime minister and a titular president, on its head. The amendment granted the president (then Zia) sweeping powers to dissolve the national and provincial assemblies, which he did. But in 2010 President Asif Ali Zardari signed the **18th Amendment**, returning Pakistan to a more traditional parliamentary democracy.

Without its trusty cudgel, the army needed to develop new ways of bringing democracy to heel, which is why, soon after Musharraf's departure, the military began cultivating Pakistan's Supreme Court. The judicial farce that resulted in Sharif's most recent ouster demonstrates that the courts remain tools for the generals to clip democracy's wings.

In April 2016, the massive tranche of leaked documents known as the "**Panama Papers**" identified that Sharif's family had offshore companies. After considerable rabble-rousing by Imran Khan, whose own accumulation of wealth is deeply suspect, and who threatened to paralyze Islamabad with a "lockdown," the Supreme Court agreed to set up a judicial commission to probe allegations of corruption against Sharif. (Khan's ability to mobilize crowds most likely involves **resources provided** by Pakistan's intelligence agency, the ISI, which is also strongly suspected of funding his **near spontaneous political ascent** in 2010.)

But the original charges against Sharif were never proved. Instead, to disqualify Sharif from office, the court relied upon a peculiar article in Pakistan's constitution known as **Article 62**, which relies upon an undefined concept of "moral repute." It also utilized **Section 99(f)** of the Representation of the People Act of 1976, which permits a person to be disqualified if he or she is not "sagacious, righteous and non-profligate and honest and righteous." In 2014, a Supreme Court judge observed that the constitution **does not define** these terms.

While some quarters are hailing this outcome as the triumph of the courts over venal politicians, others understand this for what it is: an arbitrary and selective application of an absurd set of undefined criteria to dislodge a long-festering splinter in the army's middle finger. While there is little doubt that Sharif is actually corrupt, there is also little doubt that any politician in Pakistan is free of corruption. This has set a dangerous precedent to arbitrarily topple elected governments.

Since Shehbaz Sharif is a provincial player with less international experience, the generals believe that he's more pliable on their core issues of relations with India, the United States, China, and Afghanistan. But the military will still work to eviscerate any lingering positive feelings for Nawaz. Over the long term, expect the army to sow fissures in the party to weaken the Sharifs' hold over their political fiefdom.

While the courts are being celebrated in Pakistan for liberating the country from a predatory politician, would the gallant justices ever move against the army with any modicum of verve? Doubtful. No Pakistani court has ever had the mettle to hold a single general to account for treason, much less more petty nuisances such as **industrial-strength corruption**. When Pakistan's Supreme Court can take on the real menace to Pakistani democracy — the generals — we will have something to celebrate. Until then, the army has stumbled upon yet another tool to trim the branches of democracy in Pakistan.

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