

## **Independent Judiciary in Pakistan: A Hard-won Victory**

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History is made. It is a true moment of jubilation in Pakistan as after two-years of peaceful but hard and consistent protest movement finally got victory on 16<sup>th</sup> March 09, when bowed down to popular will of the people of Pakistan and agreed to reinstate the deposed chief justice Iftikhar Chaudhry, along with nearly 59 judges, sacked by General Pervez Musharraf two years ago.

The government decision came amid the massive and historic long march of lawyers, civil society groups, political parties, social activists, human rights organizations and several other people interest groups. In a rare show of unity, political strength, consensus on issue and peaceful demonstrations all over the country finally culminated on the morning of 16<sup>th</sup> March when the Prime Minister made the much-awaited announcement reinstating deposed judiciary. The announcement was welcomed and widely termed as a good omen to save the democracy and democratic institutions in the country. A demand that people of Pakistan has been struggling for the last 60 years.

Chief Justice of Supreme Court was suspended by the then president General Musharraf on 9<sup>th</sup> March 2007 for his alleged role in destabilizing the government by blocking some of the major decisions, particularly the privatization of industry. The decision triggered the wide-spread protests in the country and gave birth to an organized lawyers' movement. All the major political parties supported the movement for the reinstatement of Chief Justice and other judges defied the orders of the military rulers. The two-year long movement not only forced Gen Musharraf to shed uniform but he also had to resign under enormous pressure.

February 2008 general elections results reinforced the public discontent on the decisions of the military rulers as people voted for those parties that promised independent and fair judiciary in the country. As a result of these elections PPP emerged as single largest party in the Parliament and formed the government in the centre. Besides their promises the government did not reinstate the deposed judges nor fulfilled their promise of enforcing Charter of Democracy signed by its Leader Benazir Bhutto (Assassinated in December 2007). This delay in meeting their promises outraged opposition parties, civil society and lawyers' community. Failing to put pressure on the government through parliamentary forums and other political forums lawyers' movement, CSOs and several political parties finally decided to go on a long-march that would culminate in a sit-in in front of the parliament building till the time their demands are met.

The long-march started on March 12 from different provinces of the country and despite government high handedness grew in number and intensity. Several thousands political leaders, workers, lawyers, CSO leaders were arrested to prevent this protest march from happening. Major roads were blocked in the country to stop the movement of the marchers towards Islamabad. Despite all the high-handedness of the government the

political support for this protest march and the demand for the independent judiciary grew causing great deal of unrest in the country.

On March 15 while the marchers started their last journey from Lahore to Islamabad police not only baton charged them but arrested several key leaders of the movement yet the people on the streets grew in several hundred thousands. Media supported the movement with full fervor and showed solidarity. The situation not only put the PPP government in severe moral deficit, but also clipped the government functions. Capital city Islamabad was put under complete siege to block marchers reaching to the parliament building. However the pressure grew that resulted in the governments surrender to the popular demand. After the announcement of the decision of restoring all the deposed judges to their positions the country went into a jubilation and sense of achievement. Thousands of political leaders and workers were released from prisons and all the legal restrictions on political protests were also lifted. The government also announced a broad-based dialogue with all the opposition parties to implement Charter of Democracy (CoD) that will ensure strengthening of democratic institutions in the country and will amend the constitution to make room for democratic, judicial and political reforms in the country. If the Charter is implemented in letter and spirits this will open a new era of democracy and rule of law in this war torn country. It is also believed that without such reforms and strengthening of democracy and democratic institutions the war against terrorism, struggle against fundamentalism and extremists elements can not be won.

A society that has been struggling for basic rights, freedoms and democratic rule for decades time this small achievement is indeed significant and has brought much awaited idealism and hope. The journey to the ultimate is still long but the strength has been added in the political movements.