
March For Justice

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THE lawyers-led march joined by other troubled Pakistanis is indeed a long one. It is long because it begins from all corners of Pakistan and converges on to Islamabad. And Pakistanis are troubled, in the immediate context by the continuing failure of the coalition government to restore the Pakistan-wide judiciary to the November 2 status.

Significantly, what lies at the root of the collective grievance that these elements evoke, is the violation of the principles and parameters laid down in the Constitution of Pakistan of the just treatment of the citizens by the State and the Executive.

<http://www.asiaobserver.com/images/fbfiles/images/1-91a02ff4a7c4f8c937a337e23cf05886.gif>

The Constitution principally imbibes the principles of natural justice and of Islamic justice and hence its continued violation leaves the average justice-seeking citizen, whether or not familiar with the Constitution, angry and deprived. Hence the popular support from the justice-seeking citizens of Pakistan qualifies it to be called the Justice March, not just a long march. It also happens to seek restoration of about 60 deposed justices who have now become the symbols of resistance against the destruction of the judiciary.

Meanwhile the criticism of the detractors of the Justice March is unconvincing. They argue it will create unrest although the March in fact seeks to address the causes of the widespread simmering unrest in the country. Similarly the criticism that the lawyers should give more time to the PPP for restoration is unfounded. Instead of taking steps to restore the judges, the government appears to be procrastinating the issue and opting for the minority opinion in seeking a long and unreliable restoration route.

Also invalid is the criticism that the Justice March seeks to push for an extra parliamentary route to change. Concerned citizens in all democratic societies reserve the right to peaceful protest to influence decision-making. The Justice March is a milestone effort by Pakistan's urban population to push democracy beyond the electioneering process.

It is forcing the agents of democracy, the parliamentarians and the political parties, to induct the element of accountability and justice through an independent judiciary. Meanwhile some in complete disregard to the national dynamics, which have thrown up this resistance, have as usual argued that the Justice Movement is part of an international conspiracy!

The Justice March is a juxtaposition of opposing forms of power. On the one hand is the rising power of popular spirit which after the cumulative and bitter experience of absence of justice and fair play by those who exercise State and executive authority, by those who must deliver justice, has now resolved to collectively resist injustice.

The chief justice's dismissal and the imposition of emergency were the triggers for this popular spirit, which through collective action and organisation has now been converted into popular political power.

There are many significant characteristics of this new form of popular political power. Six are noteworthy. One, while this is Popular Political Power (PPP), it is non-parliamentary and does not seek electoral power. Two, it seeks to influence electoral politics. The adoption of the restoration agenda by mainstream political parties like the PMLN, and to some extent by the PPP, is proof of this success of this non-parliamentary power to actually influence electoral politics. Three, this Popular Political Power (PPP), may draw support from various political and non-political groups but in its objective of seeking justice, this power is not aligned to any political party. Hence this power is committed to the principle of justice and not to a particular political party.

Four, this PPP has been brought about by the experiential Pakistani wisdom that without justice and fair play by the State and the Executive, the Pakistani nation will continue to suffer political cronyism and nepotism, corruption of the powerful and the influential, increasingly distraught huge Pakistani population whether in Balochistan, absence of genuine and sustained democracy, the tribal areas or interior Sindh, expanding poverty, economic under development, absence of security and collective lack of self-confidence and dignity.

Five, this PPP is positive not bitter in content and thrust. The non-violent and inclusive nature of this PPP holds out genuine hope for Pakistan's ability to move ahead on a non-violent non-divisive and democratic political path at the end of which there could be redressal for those who have been wronged.

Also while the movement has many key individuals who have contributed to the emergence of this popular political power, it is collective leadership which has given it its strength and stability. Even the Chief Justice while being an inspirational figure is constantly under sharp focus of those within the ranks of this PPP who want him to remain just and fair and indeed apolitical at all cost. Interestingly, the overriding thrust of all these elements is the demand for justice and fair play by the politically powerful.

Which is then the other, the opposing brand of power? It is the power that flows from unaccountable exercising of authority, whether civilian or military. And this is the power that the popular political power has risen to weaken. In demanding a rollback of the November 2 actions of the military ruler and controversially-elected president this popular political power is demonstrating that ultimately if there is popular resolve behind a movement to exercise power within the parameters laid down by the Constitution, the Constitution acquires the power and the authority to defeat khaki or civilian authoritarian power.

What is particularly promising about this phase in Pakistan's political journey towards Constitutional rule is that the popular political energy has been converted into a potent monitoring force too. It is this force that is a major contributing factor to the State and the politicians' effort to undo past wrongs and to some extent stay away from foul play.

Even the immediate beneficiaries of the Justice March, the deposed judges, too know this. They know that once back on their benches this popular political energy will act as a deterrent against judicial biases. But the demand for fair play by the those who occupy public space, ranging from lawyers, some political activists, citizens groups and media, will keep the justices from committing injustice even against their former foes. Pakistanis now know that there can be no democracy with a destroyed judiciary.

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