

## CRITICAL QUESTIONS

**Pakistan's Unrest**

Frederick Barton, with Mark Irvine and Thomas Patterson  
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**Q1: What is driving the latest unrest in Pakistan?**

**A1:** Several factors converged to spark this past weekend's unrest in Pakistan. First, the combination of worsening economic conditions and growing militant violence throughout the country has created a downward spiral that is generating tremendous discontent among the population. Second, the lawyers' movement, which played a leading role in pressuring then-President Pervez Musharraf's government to hold parliamentary elections in February 2008, continued to push for judicial reform and the restoration of the judges sacked under Musharraf's rule. These demands went largely unmet after last year's elections, despite both leading opposition parties at the time—the Pakistan People's Party (PPP) and Pakistan Muslim League–Nawaz (PML-N)—campaigning on such a platform. What ultimately became the “long march” on Islamabad was initially planned by the lawyers' movement. Third, on February 25, Pakistan's supreme court upheld a ruling barring former prime minister Nawaz Sharif from holding political office and also ruled that his younger brother, Punjab's chief minister Shahbaz Sharif, was ineligible to hold office as well. The federal government then suspended Punjab's provincial legislature and imposed governor's rule for two months in the province. Nawaz Sharif has been the major opposition figure to the current government since the PPP/PML-N ruling coalition fell apart last fall. He has consistently championed the judicial issue, which is very popular among Pakistanis but has been opposed by leaders such as President Asif Ali Zardari, who sees his position potentially threatened by the supreme court due to past corruption charges filed against him.<sup>1</sup> The recent protests brought together the lawyers' movement and Sharif's supporters, with Sharif as the central figure. Prime Minister Yousuf Raza Gilani announced concessions to both groups, reinstating Chief Justice Iftikhar Muhammad Chaudhry and declaring that the government will file a review of the supreme court's rulings regarding the eligibility of both Nawaz and Shahbaz Sharif to run in elections and hold political office.

**Q2: What impact will the restoration of Chief Justice Iftikhar Muhammad Chaudhry have on the rule of law? What should happen next?**

**A2:** The restoration of Chief Justice Chaudhry and other sacked judges is an important step and a critical one symbolically. However, restoring the old judges falls far short of the reform necessary to create an effective judicial system that meets the demands of the Pakistani public. While structural reform and capacity building are long-term processes, the government can take additional steps to clear the air and generate confidence in the system. It should initiate thorough and independent reviews of lingering issues, such as the disappearances of terror suspects and government opponents.

U.S. leaders have wisely decided to side with the swell of public opinion, visibly praising the government's concessions and the restoration of Chief Justice Chaudhry. Nevertheless, the United States must tread softly in its relations with Pakistan. It cannot be seen to have undue influence over domestic political leaders. Influencing a domestic party, either through negotiation or assistance, will probably only serve to undermine and weaken the legitimacy and authority of that party. This does not mean, however, that the United States should do nothing. It should continue to promote democracy and a strong and independent judiciary and offer counterinsurgency support to the Pakistani military (which is currently conducting large-scale operations against militants). Most of all, the United States should put the interests of the Pakistani people first, which are in line with its own long-term values and interests.

**Q3: What do the weekend's protests, and the new agreement, signal about Pakistan's government?**

**A3:** Although many Pakistanis and international observers welcomed the restoration of Chief Justice Chaudhry and the feeling of collective empowerment among Pakistan's people, the government's concessions also highlighted its weakness.

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<sup>1</sup> Nawaz Sharif also hopes to benefit from a restored judiciary with the prospect of the court lifting the ban on third terms for prime ministers.

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This is a concern. Police in Punjab allowed Nawaz Sharif to escape the government-imposed house arrest, and the state was unable to quell a large protest march on the capital, forcing its hand to make concessions. One can imagine future protests, driven by worsening economic conditions or U.S. actions, similarly threatening the government. Although army chief General Ashfaq Kayani and the military leadership were rightly praised for not seizing control of the government, the military *did* intervene in the political process, exerting pressure on President Zardari to cut a deal. These events suggest a continuing extraordinary role for the military in Pakistani politics.

More immediately, President Zardari and Prime Minister Gilani's politically embattled government will continue to struggle, grappling with the country's worsening security situation and ongoing economic crisis.

**Q4: What is the agreement's effect on U.S. and Pakistani efforts to curb militant and jihadist activity in Pakistan and the region?**

**A4:** President Zardari's government has been weakened by making concessions to Sharif and the lawyers' movement. This weakness could complicate U.S. and Pakistani efforts to curb jihadist activity as the government will be under pressure on its political flank. Perversely, the increasing weakness of Zardari's domestic position and political fractiousness could make his international negotiating position stronger.<sup>2</sup> Washington will be aware that a weakened political leadership will be less able to make concessions regarding U.S. requests on issues such as joint military operations or cross-border "hot pursuit."

Pakistan must figure out how to channel the popular mobilization of its people into an antimilitant movement. The government must more clearly align itself with the popular will in pursuit of the democratic and judicial reforms that were at the center of the country's successful February 2008 elections. While the divisions explained above are real, the concessions made this week remove a major division between the two major parties and could allow for greater unity on the significant crises facing Pakistan.

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<sup>2</sup> One caveat is that if the 17th amendment to Pakistan's constitution is repealed, restoring a more equal balance of power between the president and prime minister, it would cut into Zardari's position.