

Scenario 120

PRE-ELECTION POLITICAL PLAY

IMRAN KHAN'S JALSA AT LAHORE - I:

On 30th October 2011; Pakistan Tehreek e Insaf (PTI), held a rally in Lahore in which more than 200,000 supporters gathered as a show of strength against the ruling coalition as well as the PML(N) and explained the party manifesto addressing issues like welfare of minority & women's rights and corruption. It was PTI's first rally in Lahore at Minar e Pakistan, known as Iqbal Park too. This rally went 'marvellous' indicating a healthy change in Pakistani politics but the people remained sceptical of the turnout. In a city of rallies, where a singer Abrarul Haq held one on 27th October and PML(N) held one on 28th October, it was a big deal and risky also. Imran Khan, however, succeeded in making his way ahead.

Near Iqbal Park, the road was full of people; carrying flags of PTI, banners with Urdu phrases meaning thereby that: **'If not now, then when? if not us, then who?'**; posters of Imran Khan titled as **'Quaid-e-Inqilab'**, and much more. People were walking with a purpose, shouting slogans in favour of Imran Khan and against PML(N) & PPP's leadership especially naming Nawaz Sharif and Zardari.

The numbers were increasing fast but miraculously **the crowd was orderly**. Each section had three security checkpoints, where every purse and bag was checked after going through a metal detector. There were male and female police officers at each point and scattered around, enforcing security. Many of them looked shocked asking each other that where had all these people come from. A quick answer on most of the lips was that **'Lahore has woken up'**.

The stage looked huge even from distance. The backdrop was inspirational carrying the message for the people that: **'Tub Pakistan banaya tha, Ab Pakistan bachao gae'** (You had made Pakistan; now would you save Pakistan). A call for democracy indeed!

The rally finally started at 4pm. When Imran Khan appeared, the crowd went crazy: the sky was filled with flags and the shouts became louder. Suddenly an announcement was made from the dice that **'now there are more than 2 lakh people and that 'ab cable bund kar diya gaya hai'** (Cable TV has been shut down now); but the slogans mentioned above continued. The adoring crowd roared and the activity went on till the throats were sore; their arms became numb.

The fact was that over 200,000 people gathered in Iqbal Park on that Sunday afternoon had shown their frustration with the then administrators at Punjab and the capital. This kind of meeting, the enthusiasm, the excitement, the sheer numbers had not been seen before since 1967; PTI just proved that it was not one of the looting class political parties of pseudo industrialists or *jagirdars* who were exploiting the people in the name of democracy whereas they were civil dictators.

Omar Cheema, the Chief Information Officer of PTI, commented on rally's success saying that **'the youth of Pakistan has decided to take the future in their hands but it is yet to be seen whether or not we would be capable enough to translate this rally's outcome into an electoral success.'**

Imran Khan, amidst roaring shouts of beguiling slogan **'Agenda for Change'**, called for revolution to overthrow the corrupt and wrong doers and to replace them with dedicated people committed to save the country; while saying that:

'In 1940 at the same venue we passed Pakistan Resolution; today we have gathered here to save Pakistan from thieves, plunderers and corrupt politicians. Once for all get rid of corrupt politicians.'

Corrupt Zardari and Nawaz Sharif should learn lessons from Arab spring. We will revolutionize Pakistan and it will be a people's revolution. It's time for change; no more Sharifs and Zardaris will be tolerated. We will build a new Pakistan; corruption free Pakistan; Pakistan of Quaid-e-Azam and Pakistan of Allama Iqbal.'

PTI's slogan was **"throw these governments out and save the country,"** but the party had no seats in Parliament and it was criticized for lacking grassroots support and the infrastructure needed to win an election.

The rally, seen as a show of strength, came two days after Shahbaz Sharif attracted some 30,000 people at an anti-Zardari protest held at **Bhati Gate & Data Darbar Lahore** where, it was said, that a crowd of that magnitude could otherwise be seen at the ending hours of each Friday prayer. Sharif's PML(N) held that rally tenaciously on **Friday dated 28th October 2011** to demand early elections in the country.

Shahzad Chaudhry, a former Deputy Chief of Pakistan Air Force, opined [referring to the **'Express Tribune' of 6th November 2011**] and pointed out that, despite an unprecedented gathering of Pakistani educated and middle class people, Imran Khan would not be able to win majority in the Parliament because:

*'He is not aware that **Pakistani politics resides in the mid-twentieth century** and the attitudes and ways of the political elite may be even more archaic. Patronage, tribalism and the **biradari** will determine who comes up atop the political pile. [In Pakistan] all that is needed is a compliant SHO, which their political clout, when in the assemblies, can easily contrive.'*

*So is the case with the district and provincial bureaucracy **where honesty is a disqualifier for mainstream plum jobs**. With an unintermittible cycle of corruption now fully in place.... an overstuffed PIA; a sinking Steel Mill; broken Railways. When you input trash, what you get at the other end is unlikely to be anything savory – not different what you have pushed in.'*

PAF's Deputy Chief was pleased and surprised at the number of people who attended Imran Khan's gathering at call; more importantly, they came of their own and were not pushed to or brought in Deputy Commissioner's arranged buses. They would definitely like to vote for Imran Khan but who would manage to get them or to lead them to the ballot boxes.

Secondly; what was the alternative? Vote for the status quo or don't vote and wait for yet another military General!

These two alternatives have been tested and retested in Pakistan but for sure none of them worked. They had their time more than once and the result had been a total disappointment. Let the people think and vote for a change; make an effort and try. **To those who say it's a 'one man show' but wasn't Z A Bhutto a 'one man show' as well? Bhutto's 'one man show' was so powerful that people are still voting for the promises in 1970s made by dead Bhutto in Pakistan.**

For Imran Khan to succeed PTI had to organize many such rallies throughout Pakistan; Karachi was tipped to convene a similar gathering **on 25th December 2011**. Karachi, where people were still hanging in with Altaf Hussain; who had abandoned Pakistan but was controlling them through his telephonic addresses. And to Southern Punjab and Sindh where people were still basically voting for the promises made by the dead Bhuttos; and Lahore where the innocent poor junta were still **waiting for Ameer ul Momineen** who had once ran away from the country allegedly with their 21 boxes full of gold and dollars because the Attock Fort's cell was only equipped with one 40 watt dim bulb.

- An interesting blog on internet, placed by one Nadeem **on 7th November 2011** opined that: *'Imran Khan would not be able to change Pakistan for one simple reason: he was colluding with Army & ISI in his quest for power. How could a transformed Pakistan come up from someone who was receiving illegal help from the most anti-change institution?'*

And the moment Khan pulled a Junejo on them (i.e. becomes assertive and independent) they would either fire him or perhaps ask him to make a speech at Liaquat Bagh (the Establishment's favorite spot for target killing practice).'

The critics worried that how Imran Khan was able to gather so much crowd in Lahore unexpectedly; because the general populace wanted to exhibit their resentment towards the mainstream two political factions titled as PPP and the PML(N & Q) whose legislators in respective houses had always been interchangeable. **Barring few all were 'lotas'**, the opportunists of the highest order. Most of the public had always been away from Pakistan's sham elections whether held in military regimes or in political era. To quote the exact figures:

*'During **elections of 1970**, the Awami League got 38.3% votes and the PPP got 19.5% votes whereas around 61% populace in remaining part of the West Pakistan went silent.*

*During **1977's elections** the PPP 'maneuvered' to get 77.5% votes which was immediately rejected by the people taking it as blatant fraud and the PNA agitation started which ended with Gen Ziaul Haq's martial law of 5th July 1977.*

*In **1988 election** the total turnout of voters was 43.1% telling that about 57% people went indifferent; in **1990 elections** the same turnout was 45.5%; in **1993 elections** the turnout was again 41%. In **1997 elections** the turnout went further low to 35.2% showing that the 64.8% people remained unconcerned.*

*In **2002 elections** the turnout was 41.8% and during **2008 elections** the turnout remained 43.5%.*

All the above figures have shown that majority of the Pakistan's population remained aloof in general elections whereas the minority groups getting total votes of less than 50% have been ruling the country.' (Source: Daily 'Jang' of 5th August 2009)

Imran Khan appealed to those non participant voters plus those disgruntled voters of the main political parties in the main stream which had contributed nothing to their voters except disappointment, despair, misery and desolation.

IK's LAHORE ADDRESS - II:

Several major events took place in Pakistan during elections of May 2013:

- The launch of TIP manifesto by Imran Khan on 23rd March 2013 at Lahore;
- Induction of 84 years old Justice Khoso as the caretaker Prime Minister;
- Return of Gen Musharraf to Pakistan on 24th March 2013;
- Return of Akhtar Mengal and others just before the forthcoming elections. Their impact on the Pakistani politics was going to be unfolded over coming weeks.

Pakistan's election campaign kicked off during the last week of March 2013 with a impressive political gathering of about 1.5 million followers for Imran Khan, a massive rally led by Dr Tahirul Qadri — plus the surprise return of Gen Musharraf to the country after four years in self-imposed exile, hazarding a journey expecting few political rewards — but carried real risks to his life.

The **23rd March jalsa of TIP at Minar e Pakistan** was well attended as expected but its leader Imran Khan did not give details of his party's manifesto. Imran Khan decided to make his 'six promises' the focal point of his speech – the voters knew that the main asset of the party was its leader not its program.

The fact remained that Imran was attacking other parties as personality cults and family businesses but in no other party except the MQM the person of the leader was more important. He was relying almost entirely on his personal 'charisma' to win seats in the forthcoming elections. The enthusiasm of the youthful membership of PTI appeared to increase trust in himself and his program.

Referring to the **'TIME' of 25th March 2013;**

'The Khan's rally in Lahore was the closest Pakistani politics gets to a rock concert. The festive mood was apparent throughout the many clogged arteries that led to the venue, the landmark Minto Park in city's old quarter.

Young men were crammed on top of brightly painted buses, whooping with joy, waving party flags and swaying to their blare of the music. A group of drummers roused pedestrians with quick-paced bhangra rhythms.'

Imran Khan's admirers were drawn from all over the country through a well-financed and heavily advertised campaign. But they were also drawn by a simple yet nebulous message. **"We want change,"** echoed scores of other Khan supporters at the rally. The traditional politicians had failed their people. They were accused of being venal, inept and distant. By contrast, many supporters openly manifested that:

'Khan has an image of a clean politician committed to doing something for Pakistanis. People see Imran as a saviour; they don't really go much into what his policies are.'

Gen Musharraf was unlikely to make an impact in the elections, partly because voters looking for an alternative had found Imran Khan a more attractive choice. There were concerns among some of Khan's supporters about his attitude to the Pakistani Taliban – Imran wanting to negotiate with them – and the decision to work with the *Jamaat e Islami* [JI], a hard-line religious party. But the mere fact that he represented a political force that had never compromised by power, worked in his favour. Most people held that: ***'....he won us the Cricket World Cup, he built us a cancer hospital, and he's really good looking.'***

That appeal wasn't limited to women, who were more numerous at Khan's rallies than those of other parties. Young men walked around the park with T-shirts bearing a younger Khan's face on them, from his cricketing days. While other speakers shouted themselves

rough on the stage, the crowd looked unmoved. The crowds chatted in small groups. When the music played, they rose to dance. And when it came to Khan's turn to speak, the park quickly filled up. They sat down and waited intently for the closing act while saying for other speakers that:

"We know what these opportunists are all about – these politicians have joined Khan's party over the past year, as his popularity has risen. We're only here for Imran."

Khan relaxed about the focus on him and told **TIME's media team** that:

"It's true all over South Asia that party leaders are important...but to achieve his ambition of coming to power, he'll have to build up a party, something that's eluded him."

"Recent polls show that PML[N] is tipped to win the highest number of seats. While we were focused on holding internal elections, the PML[N] started propaganda against us that we had disappeared. Now, with this rally, we've shown our strength again."

Since Khan emerged as a threat, the PML[N] has gone on the offensive. They built a mass-transit system in the city of Lahore that won wide praise, even among Khan's supporters. The PML[N]'s provincial government offered free laptops to promising students and solar panels for their homes. They also cobbled together an impressive string of electoral alliances. Since the province of Punjab held half of Parliament's seats, the main battle of the coming election was named between Sharif and Khan there – ***PPP did not matter any where though they had finished their 5 years term about a week earlier.***

Media analysts had an opinion that PTI was to win about a dozen seats but PML[N]'s Kh Asif was a bit worried about Imran Khan's sweeping move. He had understanding that Khan was going to hold all PPP votes which were going to ditch their party because they had done nothing for Punjab.

Imran Khan's support, as the attendees at the rally demonstrated, was principally drawn from the urban middle classes. Better educated, more religious and more nationalistic than the rest of the country; they had praised Khan's criticism of US drone strikes in Pakistan; his stance against corruption and his own displays of religiosity. But they only represented a small, though influential, part of the electorate.

Imran Khan's educated followers were not so optimistic for his win in that election. They were seriously focussed on how best to cast their vote – a drastically positive change. But Khan was determined to win; speaking excitedly about his candidates from the youth' the people were worried that how Imran Khan could counter the money of the big and corrupt parties with an Internet - based fundraising drive of his own. Khan told the media:

"The party we have now is unbeatable; we're the only party that can hold big rallies in all of Pakistan's major cities, and 90% of the country wants change. The coming campaign will be like a tsunami."

Gen Musharraf was courting the votes of people disenchanted with Pakistan's traditional parties. He landed in Karachi airport, vowing to ***"save Pakistan."*** In a sign of his limited appeal, however, only a few hundred people turned up to meet him. Gen Musharraf had dodged the threat of arrest by winning bail in cases against him. But a graver threat was the Taliban, who paraded a death squad on TV and threatened to kill him. Gen Musharraf was taking an unnecessary risk for a political future which was just not there, the intelligentsia and the media analysts held.

SC's CONTEMPT NOTICE TO IMRAN KHAN:

On 31st July 2013; Chief Justice Iftikhar M Chaudhry issued a contempt notice to the PTI Chairman Imran Khan over his critical and derogatory remarks about the apex court; he was asked to appear before the court on 2nd August and explain as to why proceedings envisaged by the provisions of the Constitution and law might not be initiated against him.

The CJP took notice on the note of the Registrar SC based on press clippings of different newspapers containing the speech / remarks of Imran Khan. These remarks were fairly critical and very derogatory as regards the judiciary / judges of the Supreme Court. The notice stated that:

'.....while holding a press conference on 26th July 2013, Imran Khan described the role of the judiciary and the Election Commission of Pakistan [ECP] during the general elections [of 2013] as shameful; that the elections were rigged, due to the role played by these two institutions.'

Imran Khan added that the general elections of May 2013 were the worst in terms of rigging and mismanagement. Khan wanted to ensure that no such shameful elections would be held in the future adding that ***'the PTI had accepted the election results but not election rigging.'***

Earlier, **on 29th July 2013,** Imran Khan had expressed a lack of trust in the judiciary and alleged that the **judiciary / Supreme Court had a hand in rigging** the recent elections. **On 30th July** he stated that judicial officers acting as returning officers (ROs) remained the most controversial in general elections. Khan also commented on the **double standards of the judiciary**, he had come to the conclusion that his candidates were un-necessarily knocked down on technical grounds.

The note of the SC's registrar said:

'....it was hard to understand the outburst of the PTI Chairman for "unwarranted" criticism and making highly objectionable, indeed derogatory statements, against the judiciary and judges of the Supreme Court. Indeed, he used contemptuous and derogatory language against the Supreme Court and its judges.

Fair comments could be made on judicial verdicts but it was impermissible to scandalise / ridicule the court or its judges.'

The pro-judiciary figures held that Imran Khan's statements were aimed at *inter alia* shaking public faith and confidence in the administration of justice and undermining the prestige of the court, thereby tending to bring the court and judges into hatred, ridicule or contempt.

The Article 204 of the Constitution read with the Contempt of Court Ordinance 2003 provided for punishment for contempt of court. After going through the contents of the note of the SC's registrar, the CJP passed an order observing that:

"Prima facie, it seems that he (Imran Khan) has started a deliberate campaign to scandalise the court and bring judges into hatred, ridicule or contempt. Thus, his above acts call for action for contempt of court under Article 204 of the Constitution read with Section 3 of the Contempt of Court Ordinance, 2003."

On 2nd August 2013; the SC said the term "shameful" used by the PTI Chairman Imran Khan while referring to the judiciary was apparently abusive and not acceptable to the court.

The SC rejected the rejoinder submitted by Imran Khan's legal team in the said contempt case and ordered to re-submit his detailed statement by 28th August. A 3-member bench of the apex court, headed by CJP Iftikhar M Chaudhry and comprising Justice Jawad S Khawaja and Justice Sh Azmat Saeed, heard the case and termed the reply as 'disappointing'.

The court had termed Khan's first response as 'insufficient'. In his first explanation, Hamid Khan Advocate submitted that Imran Khan had neither committed contempt of court under the law or the Constitution nor would even think of doing so. He also added that Imran Khan had not started any campaign either to scandalise the court or to bring judges into hatred, ridicule or contempt. He contended that Imran Khan believed in the rule of law, supremacy of the constitution and independence of judiciary and, for this reason he and his party were in the forefront of the movement for restoration of judiciary.

After the court's direction, Imran Khan along with his lawyer and party legislators including Javed Hashmi, Dr Sheeren Mazari and other provincial ministers went to the office of Pakistan Bar Council for consultation and later filed a second statement. In that, Hamid Khan submitted that the press statement was made in good faith on 26th July wherein reference to the judiciary was for the Returning Officers (ROs) and or District Returning Officers (DROs) who belong to subordinate judiciary. Also that Imran Khan had high esteem for the SC and had expectations from the apex court for redressal of the grievances of the PTI arising out of the general elections.

"Restoration of the judiciary had been on my agenda. I had also spent eight days in jail for that," said Imran Khan in court.

The SC, however, rejected the PTI Chief's detailed response on using the word "***Sharam-nak***" (shameful) for judiciary. Mr Khan's lawyer Hamid Khan insisted that it was meant for the ROs & DROs and not the Supreme Court. The court did not approve his second response as well and instructed his counsel to submit a third and more heartfelt written response by 28th August.

The court pointed out that perhaps correct facts have not been brought into Imran Khan's notice as his application was returned by the office on the same day by passing the order that it was not entertainable on the ground that instead of making this application in a pending review petition, the applicant should approach the appropriate forum and avail the proper remedy under the law.

In addition to these, the apex court ruled that learned counsel was told about 31 election petitions under section 52 of the Representation of People Act 1976, filed by the candidates of PTI before Election Tribunals requesting for, inter-alia, examining the thumb impressions of the voters through the process of biometric system, particularly, in respect of the four constituencies Mr Khan pointed out in open.

On 22nd August 2013, a three-member bench of the Supreme Court of Pakistan was constituted to hear the said contempt against PTI's Imran Khan. The bench comprised Justice Anwar Zaheer Jamali, Justice Ejaz Afzal Khan and Justice Khilji Arif Hussain, to resume hearing of the case on 28th August.

The PTI did not make the contempt issue as a matter of ego; whereas the party held that the SC was not attacked at all, but judiciary in general was criticised for which they had a number of cases to be mentioned as evidence. Secondly, about the comment regarding rigging in polls was not about the Supreme Court but about the 'judiciary'; the whole country was witness to the worst ever pre-poll rigging by returning officers in most places and all that was being continuously reported in media.

The PTI held before the media that criticizing any court's judgement was never a contempt of court. Rather one more objection about the judiciary that *suo moto* notices on very ordinary issues were taken by the apex court, but no *suo moto* action was taken regarding the huge bundle of complaints about rigging in polls. ***PTI's petition for thumb verification only in four constituencies was not being taken up.***

PTI's MNA Shafqat Mehmood added three quick messages sent on Twitter and wrote:

- *Why contempt notice to IK when hordes of others including Faisal Abidi and Aitzaz Ahsan have questioned conduct of CJ and the SC. Why selective justice?*
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- *Criticising judicial officers for bias and incompetence also does not constitute contempt as they were acting as officials of the EC and not judges.*
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- *Making a fair comment on judicial decisions is not considered contempt of court in any democratic society - Notice to Imran Khan incomprehensible.*

The issues which the PTI wanted to bring to the court's notice included those of ***no clear orders for ousting of tax evaders or fake degree holders, violators of law of filing mandatory income returns and not deciding issue long pendency of cases of loan defaulters.***

The said list of issues also included that the mechanism to oust any person convicted in corruption cases or who defaulted a loan was clear, but ROs and Election Commission [ECP] needed a clear direction from the Supreme Court on the issue. Former MPs refused to get their degrees verified; for some it was proved that politicians had defaulted loans as had also been verified by the SBP; some were hiding behind long stay orders from courts of law and especially when there was a list of 3.5 million citizens who were tax evaders according to joint investigations of Nadra and FBR – SC was expected to take notice of all.

PTI leaders held that when the apex court communicated an order to the ROs to provide copies of nomination papers to general public during the dates of submission for 11th May elections, ***the ECP suddenly applied heavy fees on getting copies and despite this most ROs refused to issue copies.*** The ECP uploaded nomination papers on web, but ***only 3 or 4 percent nomination papers of non-important politicians were available on website till last date of filing objections.***

PTI leaders raised questions that the SC had ordered verification of degrees of some politicians who contested 2008 polls, lost then but again contested 2013 polls without verification. Why the SC had not ordered the verification of degrees of all such candidates ***when Chairman HEC Javed Leghari was on record having said that HEC could verify any degree on the same day it is submitted;*** in fact the courts went compromised, often coward and wilful criminal connivance.

Some candidates who submitted fake degrees in 2008 elections and barred but again contested 11th May 2013 polls; were allowed to go ahead - astonishing. This was something to be done by the SC and not by the ROs as it was out of their domain to order for verification of any document which was not attached with 2013 election nomination papers [as degree was not a condition in 2013 polls] and only superior judiciary could pass an order in this behalf. The records of past criminality were simply ignored by the Supreme Court and the ECP – what a justice and what fair elections.

The PTI leadership was also curious about tax and loan default cases of political elite coming pending since years, laughing at the judicial norms after getting STAY ORDERS from the higher courts. It is a common trait in Pakistan, but then why all such elements were allowed

to contest polls - ***Supreme Court and the ECP were wilful party to that kind of violations of Art 62 & 63 of the Constitution.***

PTI leaders also believed that members of the lower judiciary played negative role in the whole election process, and either it remained unnoticed or knowingly ignored. Evidences of rigging were mistreated. PTI's request to verify thumb impressions of only four constituencies was ignored. PTI also believed that though ruling party had clear majority in the polls, but had all democratic forces been given the chance to run election campaign justly it could result in a better democratic process.

On 28th August 2013; the SC resumed hearing the contempt of court case against PTI's Imran Khan. A 2-member bench of the apex court comprising Justice Anwar Zaheer Jamali and Justice Ijaz Chaudhry heard the case. It was held that ***'if the court decides that the word "Sharamnak" is not an abusive word, it will set an example; a dictionary could be consulted for the meanings. It is suggested to review the reply to take a respectable stance.'***

The reply comprising 21 pages submitted by Imran Khan through his counsels including M Anwar Qazi, Ahmed Awais, Shamsa Ali and M Waqar Rana requested the court to discharge the said contempt notice.

Mr Khan urged that the word "*Sharamnak*", used by him was never meant to be an abuse to anyone, not even for the DROs and ROs. ***"It was not used in its literal sense or connotation but it was rather used in the sense or context of unbecoming and it is humbly submitted that it may kindly be so construed."***

The PTI Chairman, in his detailed reply, once more contended that the criticism of ECP, DROs and ROs was directed at their performance which was in pursuance of their administrative duties. The counsels for Imran Khan contended and prayed that in view of the foregoing factual and legal position, no contempt was committed by Mr Khan and the said notice be discharged.

The Supreme Court discharged the contempt of court notice.

While speaking to the media after the notice was discharged, Imran reiterated that the word "***shameful***" was used against the conduct of presiding officers in 11th May elections only and not for the apex judiciary - the party's 2,500 - page long white paper documented the details of rigging. Khan held that the only objective of his comments was to have fair and free elections in the country. Those were the first elections to be held under judicial supervision and only the court could be called for justice.