

Scenario 97

PAKISTAN: MEMO-GATE SCANDAL-II

JUDICIAL COMMISSION FORMED:

On 30th December 2011, the Supreme Court of Pakistan passed the judgment that the petitions on Memo-gate issue were maintainable under the Constitutional provisions of Article 184(3). The ending paragraph of the memo sent to Adml Mike Mullen was that:

'We submit this Memorandum for your consideration collectively as the members of the new national security team who will be inducted by the President of Pakistan with your support in this undertaking.'

The SC held that in exercise of powers of Judicial Review, the said petitions merit justice. Question of public importance with regard to enforcement of fundamental rights was involved under Articles 9, 14 and 19A of the Constitution. As the due process of law is the entitlement of all the stakeholders, therefore, to ensure probe into the matter in a transparent manner the Commission shall be comprising of:

- Mr. Justice Qazi Faez Isa, (Chairman) CJ Balochistan High Court.
- Mr. Justice Iqbal Hameed-ur-Rehman (Member) CJ Islamabad High Court.
- Mr. Justice Mushir Alam (Member) CJ High Court of Sindh.

Raja Jawwad Abbas Hassan, District & Sessions Judge, Islamabad was appointed as Secretary to the Commission. The Commission was required to complete this task within a period of four weeks.

On 2nd January 2012, the Judicial Commission held its first meeting at Islamabad High Court (IHC). The meeting was chaired by its head CJ BHC, Justice Qazi Faez Esa; the other two CJs attended as members of the commission. During the first meeting, the Judicial Commission had framed its own questionnaire and the core issues in the public minds were like that:

- Why Mansoor Ijaz leaked the memo and wrote an article for the Western press?
- As Ambassador Husain Haqqani had direct access to highest civil authority in USA so why he would choose a betraying businessman for that job?
- Mansoor Ijaz was known to Husain Haqqani since ten years; on what basis?
- What has been the actual bone of contention between Mansoor Ijaz & Mr Haqqani while they were associates since a decade?

[In police it is a well versed saying that the clues of a crime surface up when the thieves start fighting over distribution of the looted booty.]

- SMS record of calling each other was OK but what were the actual transcripts of those conversations; did it contain the memo's wording or substance.
- How and what stage Mr Zardari allegedly conveyed such instructions to Husain Haqqani.

- Why would Husain Haqqani send the memo to Mike Mullen, a person who was retiring shortly as American Army General?
- Why would Mr Zardari as President go through some one else in such delicate matter, he could have gone to USA on any pretext to see some more relevant tycoon in US admin?
- Why Mr Zardari had not preferred to call the American Ambassador in Presidency to convey that much weighty message directly to the American bosses?

There were tens of more questions to be added but the given time was short to get plausible answers of all.

The reply submitted before the SC by Mansoor Ijaz, interalia, comprised of certain documents including exchange of e-mails using the BlackBerry Messaging (BBM) service and voice calling between him and Mr Haqqani showing that they remained in constant touch with each other from 9th to 12th May 2011. In fact during these days, as many as 85 BBMs, voice calls and e-mails were exchanged between the two, forming the most important piece of evidence for purposes of drafting the alleged Memo. In addition to these dates, Mansoor Ijaz also claimed that he had telephonic interactions with Husain Haqqani on 28th October and 1st November 2011. [*A company known as Research in Motion (RIM) based in Canada was the sole and exclusive custodian of BBM Service*]

Vide SC's order dated 1st December 2011, Husain Haqqani was directed not to leave the country without the permission of the apex Court. This order was kept intact.

The Federal Interior Minister Rehman Malik had, however, admitted that Husain Haqqani was involved in communication via text messages with an American national but there was no written letter, neither from presidency nor from any government organization. Haqqani has been a close aide of President Zardari, no doubt. Mr Malik told the media that the matter was open for investigation; as also to sort out that who initiated SMS messages; M Ijaz or the Ambassador.

Over an uncalled but such a harmful deliberation from Rehman Malik, a media spokesman had rightly observed that ***'the GOP and Haqqani do not need enemies if such friends are available to them.'***

The opposition leader Nawaz Sharif demanded an independent commission to investigate the issue roaring that why the army was subjected to the worst suspicions? He declared the said memo authentic as had been confirmed by Gen Mullen's own office.

[Nawaz Sharif, was not inclined to recall his own times of 1999 when on Kargill issue he himself had flown overnight to the United States to request President Bill Clinton for direct interference in Pakistan affairs; urging to snub the then Army Chief Gen Musharraf who had played around allegedly without his consent as prime minister.]

One may recall a statement of US Attorney General ***'Pakistani rulers can sell their mothers for money'*** [*Live TV program 'Capital Talk' by Hamid Mir dated 6th September 2011* is referred]; it was another instance of the same kind to stay in power. What credibility does Pakistan's political leadership possess?

It was sad that PPP politicians talked big about solving critical issues but failed to solve simple mysteries despite being in power for nearly four years [till then]; murder of Benazir Bhutto, NICL scam, Hajj scam, energy crisis, Railways, Steel Mills and PIA affairs etc. For masses in Balochistan and in Khyber PK provinces, the successive governments, both leaderships, had done nothing. They, of course, generated more wealth for them own by desecrating Pakistan's name through their greed of staying in Power.

MANSOOR EJAZ SPILLS THE BEANS:

Referring to the '**Dawn**' of **5th December 2011**, Mansoor Ijaz said that:

'It is my view...The United States has done this (arm twisting) in Iran. They've done it in other countries where they've labelled certain organisations as terrorists.'

We have strengthened Pakistan. May be we haven't strengthened the civilian side of Pakistan's government. But there may have been a rot there that needs to be cleaned up. And if that rot is cleaned out, you might find a very strong Pakistan emanating out of this, in which the judiciary does what it's supposed to, the military does what it's supposed to.'

Media analysts were able to take consideration of Mansoor Ijaz's video testimony of **22nd February 2012** from Pakistan High Commission London] that '*he is American, would not speak against American policy and would safeguard America's interests*'. The media men had whispered that he [Mansoor Ijaz] might be advocating the memo issue because **Husain Haqqani had eaten up his share of the million dollar bugs received for him from Mr Zardari**. Of course if a media consultant or broker is not paid his negotiated price, he goes more dangerous while in possession of 'secrets'.

Prime Minister Yousuf Raza Gilani once told '**China's People's Daily online**' that the army chief and head of intelligence services had acted unlawfully by making unilateral submissions to an ongoing Supreme Court inquiry [in Memo-gate Scandal].

APP issued a statement **on 9th January 2012** giving details of the interview when the COAS was also on an official visit to China. PM Gilani, interalia, termed the responses given by COAS and DG ISI in the alleged Memo Case to the SC as 'unconstitutional and illegal'. These were in fact the serious charges pointing towards the violation of the country's Constitution.

The Army Chief Gen Kayani felt so disturbed over those comments that he immediately rushed to the Presidency and asked President Zardari: '**ask the PM Gilani to spare me if I'm no more needed or ask him to take back his words**'. Gen Kayani had added that critical comments made by the prime minister could have 'serious ramifications' and could inflict 'potentially grievous consequences for the country'. '**Express TV talk**' of **Dr Shahid dated 2nd March 2012** is referred.

The PM's statement did not take into account the following facts:

- The COAS and DG ISI were cited as Respondents in the Petitions as such and after hearing the parties the Supreme Court served notices directly to the Respondents. This was not objected to by the learned Attorney General of Pakistan.
- The replies by the respondents were sent to the Ministry of Defence for onward submission to the SC, through the Attorney General. The same were not submitted to the apex court directly by the two Respondents.
- Responsibility for moving summaries and obtaining approvals of Competent Authority thereafter was of the relevant ministries.

Astonishing aspect was that in an earlier mutual meeting of the two heads, the PM and the Army Chief **on 16th December 2011**, the PM had categorically stated to the press that '*the replies of the Army Chief & the DG ISI were given by them in response to the notices of the Court through proper channel and in accordance with the rules of business.*'

No objections were raised then rather the media was briefed that the COAS and DG ISI in their replies to the Supreme Court were obliged to state facts as known to them. The issue of jurisdiction and maintainability of the Petitions was between the SC and the Federation. An expectation that COAS will not state the facts was neither constitutional nor legal. An essay published at **Pakspectator.com on 22nd November 2011** is referred for more details.

Referring to '**the Nation' of 14th January 2012**, Mansoor Ijaz had told his American go-between Gen James Jones that there were three people who 'prepared' the said memo; Husain Haqqani, Gen (R) Jehangir Karamat and Gen (R) Mahmud Ali Durrani, a former National Security Advisor for PM Gilani, who was fired in 2009 over some dispute. Ijaz Mansoor also wrote in his statement that:

'There was only one author of the memo and that was Haqqani, but the way Haqqani presented it to me was that there was a team of people back in Pakistan involved and the two names he gave me were Karamat and Durrani.

My impression at the time I wrote the email to Jones was that they [Jehangir Karamat & Mahmood Ali Durrani] had been probably a part of the thinking process about the ideas in the memorandum. They were probably involved at least in thinking through how you execute these things.

.... What I put down in the e-mail was what Haqqani told me. [Haqqani] said there was a like-minded group of people in Islamabad that would be brought on board by 'the boss' {Mr Zardari} as the new national security team once tensions had dissipated. He mentioned two names I recognized; Jehangir Karamat & Mahmud Durrani.'

In his affidavit, Ijaz again claimed that Haqqani was the sole author of the memo. '*The content of the Memorandum originated entirely from Haqqani, was conceived by Haqqani and was edited by Haqqani,*' Mansoor Ijaz wrote in black & white.

MANSOOR IJAZ TERMED LIAR:

The most attracting statement on memo issue was of US Ambassador to Pakistan Cameron Munter [referred to various **media reports dated 6th December 2011**] who said that '*Mansoor Ijaz is liar; his recent allegations were nothing but "a pile of lies".*' On the same dated media reports also mentioned PPP's leadership saying that:

'Mansoor Ijaz is a crook and an enemy of Pakistan. He loves cheap publicity. He [Mansoor Ijaz] actually wrote and delivered the memo and we made him SC's only witness; says a lot about our national character.

The nuclear powered Islamic Pakistan is so weak that an American can shake its foundation and any invader can come in and our defences do not act at all for two long hours. This happened not once but twice recently.'

The **US media on 19th January 2012** circulated a statement from a South Asian expert named Aziz Haniffa in Washington DC saying that:

'Mansoor Ijaz, the man who has triggered off a political crisis in Pakistan, is a 'dubious character,' who is sowing 'seeds of dissension'. The issue has led to intense tension between the civilian government and the Pakistani military.

This is really a trial by the media circus. It is Pakistan's free and most vibrant media that you can buy -- Anyone who knows Pakistani journalists will back this up.'

In another development, Leader of the Opposition in the Punjab Assembly, PPP's Raja Riaz, filed an application before the Commission to become a party in the matter urging that Mansoor Ijaz was a liar and a conspirator who had already accepted his involvement in toppling the first government of Benazir Bhutto.

On parallel lines, the apex court also considered Rehman Malik's statements that '**Ijaz's name may be put on the exit control list (ECL) if the Parliamentary Committee on National Security so directed**'. The Commission was told that the day when Mansoor Ijaz was planning to visit Pakistan's High Commission in London a news item was published, attributed to and never rebutted by Rehman Malik, that '*Ijaz could be detained and*

investigated under Article 6 of the Constitution for hatching a conspiracy to topple Benazir's government in 1989'.

Mansoor Ijaz maintained that on the last date of hearing [**9th January 2012**], an undertaking regarding security arrangements was agreed; one DIG Mujeebur Rehman, Security and Counter - terrorism, Islamabad, was deputed for his security but then the Attorney General backed out that Ijaz's security should be ensured by the armed forces.

On the other hand, Rehman Malik's team did not want Mansoor Ijaz to appear before the Judicial Commission as that would spell their political death. PPP threatened to register a fake case against Mansoor Ijaz to stop him from entering Pakistan. He and his family had received killing threats since the last proceeding of the case.

US authorities also tried to obstruct justice. Haqqani's wife Farahnaz Ispahani, who is an American - Pakistani and PPP's MNA [in absentia], was in Washington using her connections in US to pressurize Mansoor Ijaz not to testify. Mansoor Ijaz, confided to **'the News'** [paper dated **14th January 2012** is referred for details] that:

'Besides the security-related threats that he has received, directly or indirectly from Pakistan, Washington is also influencing him not to go to Pakistan in this situation'.

These threats continued unabated till date in some form or the other. To make matters worse, **on 21st January 2012**, Rehman Malik said Mansoor Ijaz could be involved in other cases also and could be stopped from leaving the country if the legal situation demanded.

In nut shell, Mansoor Ijaz refused to appear before the Judicial Commission, citing security concerns; it was enough relief for the PPP leadership. He was given three chances to appear with proofs he claimed to have, however, all the times he refused to come citing different reasons.

On **28th January 2012**, his Counsel Akram Sheikh made last request to the JC to record Mansoor's statement and examine his evidence either in Zurich or London, which was rejected. Husain Haqqani was not charged yet.

Husain Haqqani's counsel, Zahid Bukhari [a retired justice himself], confirmed that his client was under threat and **'has taken refuge in the compound of the Prime Minister's residence'**. It created another plethora of criticism speaking about the PPP government's partisanship giving enough indication that whatever Haqqani had allegedly done on memo issue was a fact or at least triggered by the high personalities sitting in Islamabad.

However, during the last hearing of Judicial Commission, Husain Haqqani's counsel said that **'both he and his client have 100% faith in the judicial system and that meticulous investigation can prove whether Haqqani drafted the memo or not'**. The Judicial Commission was extended for another four weeks.

Ultimately, on **22nd February 2012**, the Judicial Commission probing the memo scandal sent its Secretary Raja Jawwad Abbas to UK to question Mansoor Ijaz and record his statements at the Pakistan High Commission in London. A week before Ijaz had submitted his 83-page statement to the Commission through his counsel Akram Sheikh; then he was called in video - conferencing so that the petitioners and members of the commission could question him as per court procedures.

In his statement, he confirmed his meeting of 22nd October 2011 with DG ISI in London. Mansoor Ijaz had also given details of his interaction with President Zardari in May 2009 at the Willard Intercontinental Hotel in Washington DC; he was invited there by Husain Haqqani. Ijaz requested the Commission for an in-camera briefing to record certain comments, which he claimed were not appropriate to be disclosed to others.

Hamid Mir, in 'the Jang' dated 5th March 2012, had given very interesting remarks about the memo affair that:

'..... Mansoor Ijaz was a liar and fraud but when some responsible media persons in Pakistan pointed out towards his chequered past, they were labelled as 'enemies of Pakistan' just because he [Mansoor Ijaz] was exposing another brother liar named Husain Haqqani.'

The fact remains that memo-gate scandal though went successful in creating rifts between key pillars of the state [Presidency, Executive and the Army] but none of the mainstream political party or notable figure agreed to share that dirty game; not yet clear who had sponsored it.

May not be out of place to mention that All Parties Conference held at PM House **on 30th September 2011** had brought [as a side benefit] unity amongst the political parties in and outside Parliament though it was mainly called to discuss American attacks and aggression in the backdrop of Pak - Afghan border events.

Another advantage brewed by the PPP was that Nawaz Sharif's memo petition had changed the whole political scenario; an inadvertent mistake it was though he had distanced himself far away from its proceedings later when he realized that Army would be the main beneficiary of that nutritious game. PTI openly and the ISI secretly tried their level best to drag PML(N)'s Chief into the memo pond again but he bravely abstained; thus the apex court was left with only one witness named Mansoor Ijaz, allegedly a compulsive liar.

Mansoor Ijaz's latest and remarkable lie surfaced during his statement of **1st March 2012** when he divulged a 'breaking news' that on 2nd May 2011 night, when the American choppers were heading for attack on Abbotabad, president Zardari had 'proposed' Gen Kayani on telephone that *'Americans should not be checked or blocked'*. This statement was immediately denied by both the presidency and the GHQ. This statement of Mansoor Ijaz came just a day before the Senate elections of Pakistan agitating 'another top pillar [Army Chief]' to block the elections way but they had not taken it seriously.

Just a passing reference from the little past; **'the Friday Times' of 30th Dec 2011 to 6th Jan 2012 issue:**

'World famous military strategist and ex-army chief Aslam Beg told Daily Express that to avoid getting into more trouble President Zardari should submit his resignation. He said Memo-gate was actually an effort to stage an uprising within the army for which the army was very angry.'

He [Gen Aslam Beg] said Osama was not in Abbotabad when the US operation took place and some people in government knew about the US attack [but still no evidence to corroborate this claim has surfaced].'

The whole Pakistani nation and the world media started pondering over a veteran Pakistani General's statement that Osama was actually found and hit there in Abbotabad on 2nd May 2011 or it was wholesome drama only – Memo-gate comes later.

During the memo proceedings, once Asma Jahangir while advocating on behalf of Husain Haqqani, called those petitions '*benami*' (anonymous) because two of its respondents were actually the petitioners. She was pointing towards DG ISI and the Army Chief. She had also questioned a meeting between the ISI Chief and Mansoor Ijaz asking that why did the DG ISI investigate the matter without permission of the PM; also that the judiciary should not intervene in civil-military issues as the prime minister keeps the right to sack the DG ISI.

In the affidavit submitted to the Supreme Court, the Army Chief Gen Kayani said that the news regarding the memo was correct and evidence was available of the contacts made in the context of the conspiracy. It was clarified that DG ISI did not meet any Arab leader in between 1st to 9th May 2011 *as mentioned in the article*. DG ISI's visits to Kingdom of Saudi Arabia and UAE only, prior to or after this period, were part of routine intelligence sharing activity, during which he interacted with his counterparts only.

[An article was published in the 'Independent' of 13th December 2011 in which Omar Waraich made false assertions regarding DG ISI's visits to Arab countries; saying that the DG met senior Arab leaders and asked permission for a military coup in Pakistan. The story was published without verification at any level.

Contents of Omar's article were strongly and categorically denied. A legal notice was served to the newspaper to retract the story and apologize.

The ISPR had further clarified that why the ISI Chief had to go to foreign countries to urge or beg the government. It was very easy for them to move their 111 brigade from 20 miles away and take over the Presidency and the PM House; that was enough.]

MEMO-GATE ISSUE IN FOREIGN MEDIA:

The American press had circulated that Mr Zardari used Husain Haqqani to employ Mansoor Ijaz to interact with the American authorities. **Mansoor Ijaz was also a guru in deceit and demanded advance money of \$1 million. Mr Zardari paid him through Haqqani via the Global Lobby; the Neo-cons & the 'Project for the New American Century' (PNAC), but Haqqani just paid \$ 200,000 to Mansoor, and kept \$ 800,000 with him and Ijaz went furious.**

That was the reason that Zardari himself hinted Husain Haqqani to resign. And so Mansoor Ijaz exposed everything and everyone was on the run; he leaked everything to the DG ISI who had agreed for writing the article of **10th October 2011 in Financial Times**.

Referring to **'the Telegraph' of 2nd January 2012:**

'Miss [Asma] Jahangir accused the judges of the Supreme Court of falling under the influence of country's army chief after it established a judicial commission to establish whether Husain Haqqani had violated the constitution by colluding with a foreign power against state officials. They've set up a commission not to probe what is already there but to go further and create more evidence the case is stacked against Haqqani.'

Former senior Pakistan Army officer Lt Gen Talat Masood said in a TV talk that the military had already achieved its objectives when Husain Haqqani was forced to resign, but the truth should be established, regardless of the political fall-out. *'They want to see whether it was done at the individual level or whether it had the blessing of anyone in the presidency. Whatever the political consequences, they still think it's worth it,'* the retired General opined.

On the subject issue, the **BBC media on 11th January 2012** had observed that:

'Pakistan's main organs of state and other players are heading for an inglorious showdown. The powerful military has heaped pressure on the civilian government by participating in a Supreme Court (SC) inquiry which could see President Zardari condemned as a 'traitor'. The government has retaliated by accusing the military top brass of flouting the rules of business.

It has warned them against setting up a 'state within the state'. The SC appears to have thrown its weight behind the military, recently questioning the honesty of PM Yousuf Raza Gilani. It wants corruption cases against hundreds of politicians, including the president, reopened.'

PM Gilani and President Zardari had publicly said their government would not implement some of the court's decisions; the politically motivated ones like NRO. On the other end, after

15 years of dabbling in politics without making an impression, Imran Khan suddenly started attracting massive crowds to his public rallies [he used word ***tsunami***] hoping that it would wash away all the "corrupt politicians and plunderers".

However, the historians kept the record of what a year earlier [*on 12th January 2011*] the Pakistan's envoy in America, Husain Haqqani had told the media that *'Pakistan has already amassed 38,000 military and paramilitary forces in the tribal area in the past few months. Pakistan does not want US troops on the ground there. Only Pakistan will determine what to do and when to do it. Putting US boots on Pakistani soil is not going to happen, and it's not needed at all.'*

But actually Haqqani's PPP government never meant it seriously. From inside they had been fighting America's proxy war in continuation of Gen Musharraf's policies. Similarly, during the first week of May 2011, Husain Haqqani had said on **ABC's 'This Week'** program that:

'Some heads will roll after his country finishes its investigation into how Osama bin Laden managed to hide out near the capital city of Islamabad in the compound where he was killed by US forces. If those heads are rolled on account of incompetence, we'll share that information and if, God forbid, somebody's complicity is discovered, there will be zero tolerance.'

Husain Haqqani had also said in **CNN's 'Fareed Zakaria GPS'** program the same day that:

'He didn't know whether the al-Qaeda leader had help from his country's government or military to stay concealed in Abbotabad. What we need now is for Pakistan's elected leaders to exercise the leadership and get to the bottom of the matter.'

In the wholesome memo's scenario, the general populace vowed not to kill the messengers but to go after the big thugs. Major question was that why Mansoor Ijaz out of the blue turned coats. Something must have happened for him to spill the beans otherwise problems between the Army and the civilian heads were not new in Pakistan.

Some considered it a brilliant move by Mr Zardari. He got himself a perfect shield against a pre-empted coup. The whole show was to keep Gen Kayani on back foot; neutralized just like the CJP Iftikhar M Chaudhry. During the last six months, between May [the memo was drafted & sent] and November [the memo issue caught fire] of 2011 and especially after the publishing of Mansoor Ijaz's memo in the *'Financial Times'* of 10th October 2011, PPP's intelligentsia have been trying to justify the contents of that memo by elaborating that:

- The memo said that there was a possibility of a military coup but with so many coups in the past, no one could assure that there won't be another one.
- The memo promised an honest inquiry in Osama's killing episode but hosting Osama should be taken as 'treason' if it was in Pakistan Army's knowledge.
- The memo said that 'S' wing of the ISI would be wound up and support to the terrorists would be stopped. If the wing is meant to keep liaison with militant groups then it should be the wish of each Pakistani to abolish it. It also referred to a commitment Pakistan had repeatedly given to the world and should also be done for the sake of protection of Pakistani citizens.
- The memo indicated that the attacks on Mumbai would be investigated. No harm; Rehman Malik had repeatedly and openly urged the Indian Courts during the SAARC session of 2011 that *'Ajmal Kasab should be hanged'*.

It is available on record that once in 1996 Mansoor Ijaz had written an open letter in the Wall Street Journal against Benazir Bhutto; she was sent home two months later.

On 4th January 2012, President was also issued a 'notice' from the Judicial Commission to file a reply in the memo affair but Mr Zardari refused to file a statement terming it an 'unnecessary publicity' by Mansoor Ijaz.

On 6th January 2012, President Zardari formally negated the said Judicial Commission saying that the government would only accept a parliamentary panel's decision on the authenticity of alleged memo; setting the stage for a fresh confrontation with the Supreme Court who had announced that Commission just a week earlier. *'Let both [SC & Parliamentary Panel] decisions come. In my view, parliament is sovereign,'* he said in an **interview with Geo News TV channel**.

Worth mentioning that the CJP Iftikhar M Chaudhry had indicated in his remarks in the apex court that *'he believes the Supreme Court is better placed to investigate a matter like the Memo-gate scandal'*.

COMMISSION CONCLUDES ITS FINDINGS:

The 3-member Memo Commission once ordered Husain Haqqani and JKLf leader Yaseen Malik to appear before the commission on **5th April 2012** for cross examination. The commission also directed the Foreign Office to appear along with the encrypted correspondence of Haqqani when he was the ambassador to the United States. The SC had extended the commission's deadline to submit an inquiry report till 15th May instant.

Notices were issued to all the parties including one Sohail Khan DG 'America Desk' in the Foreign Office Islamabad to produce the confidential correspondence of Husain Haqqani with them from January 2011 till Haqqani's resignation. The Commission had observed earlier that Husain Haqqani in his undertaking before the SC had assured his availability in four days but did not appear on 26th March despite the serving of notices on 2nd & 18th March 2012. The order said the Commission could have issued arrest warrants for Husain Haqqani.

In Memo Scandal, the US got itself involved voluntarily as President Zardari allegedly having been of great help in giving clearance to Abbotabad operation. Husain Haqqani and Mansoor Ijaz did their job by originating and delivering the Memo. It fetched result, as there was no military coup.

However, the Zardari's government failed to do its part of the deal [*what was the promised deal; not known*]. Having waited from May to September 2011, the Pentagon got furious and decided to punish it for its failure. As a rule [*the rogues abide scrupulously by their code of conduct*], all stake holders should have waited but the Pentagon could not; and asked Mansoor to spill the beans.

The Memo Scandal killed two birds with one stone: it provided proof of treason against Zardari, enough to frighten him in that political scenario; and absolved the army of accusation of incompetence in Abbotabad operation. However, it could have been a white paper, not a whitewash.

At its last hearing, the Commission recorded the statement of its Secretary District and Sessions Judge Islamabad East Raja Jawad Abbas Hassan who had submitted the forensic report of electronic evidence - **BlackBerry messengers and email exchanges** of Mansoor Ijaz and Husain Haqqani. The Secretary was cross - examined by Ijaz's counsel Akram Sheikh and the deputy attorney general. Haqqani's lawyers did not attend the hearing because the former ambassador had boycotted the Commission's proceedings.

Advocate Akram Sh said the forensic report proved that Mr Haqqani had engaged his client for drafting and delivering the memorandum to Admiral Mullen. He, *interalia*, accused Hussain Haqqani of paying \$30,000 per month to American lobbyists Harlen Ullman and David Frum from his \$7 million discretionary fund for damage control after the memo-gate scandal came into limelight.

Later on, Secretary of the Commission, Raja Jawwad had proceeded to London for the forensic test of electronic evidence contained in laptop and BlackBerry handsets of Mansoor Ijaz through a British company, System Technology Consultants Limited (Sytech), for the forensic test because of its reputation, accreditation, cost-effectiveness and their promise for expeditious processing,` the secretary added. The experts started their work on 11th May and submitted reports, along with their affidavits, on 14th May 2012.

The Commission also took up an application of Barrister Zafarullah Khan who requested it to treat the evidence as completed and placed them before the Supreme Court for further proceedings.

SC PROCEEDS ON MEMO REPORT:

On 10th June 2012, the 3-member Commission on Memo issue, headed by Justice Qazi Faiz Issa, submitted its report in the Supreme Court. The Commission held 24 marathon sessions recoding statements of scores of concerned persons including that of the prime character Mansoor Ijaz's on video link, while the statement of Husain Haqqani could not be recorded as he like Ijaz on the pretext of security demanded video link facility, which the commission didn't accede and, thereafter, Huqqani despite repeated summons refused to come to Pakistan.

Reacting to the Commission's report, Husain Haqqani tweeted on the social media that *'he will challenge the Commission's report'* whereas most of the politicians opined that ***'Haqqani should be tried for treason'***.

In the analytical report formulated by 'Systems Technology Consultants Ltd [SYTECH], released by Simon Lang in American media on **23rd July 2012**, once again reiterated that ***Haqqani and his government in Islamabad were guilty of high treason.***

The CJP Iftikhar M Chaudhry observed that when Haqqani was leaving Pakistan, he had assured the court that he would come back within a period of four days if summoned.

'The Commission, however, determined that the memo was not a farce, but a reality. *The motive of the memo was to ensure the US that the civilian [PPP] government of Pakistan is its ally and that being an ambassador, it did not "suit" Haqqani to give such assurances to a foreign country.'*

The Supreme Court ordered that the Commission's report be made public. The Memo-case was being heard at the Supreme Court's 9-member bench, comprising Justice Mian Shakirullah Jan, Justice Jawad S Khwaja, Justice Khilji Arif Hussain, Justice Tariq Parvez, Justice Asif Saeed Khan Khosa, Justice Amir Hani Muslim, Justice Ijaz Ahmed Chaudhry and Justice Azmat Saeed.

Part of the report, read in the apex court, said:

"Mr Haqqani sought American Help; he also wanted to create a niche for himself making himself forever indispensable to the Americans.

He lost sight of the fact that he is a Pakistani citizen and Pakistan's ambassador to the United States of America, and therefore his loyalty could only be to Pakistan."

This was the sin of the CJP and the SC too that he delayed the judgement on memo high treason case and refused to listen to a petition against the treacherous forces including

media. Husain Haqqani did NOT act alone. He had the full backing of Zardari and Gilani and then all of them were after the CJP's for the mistakes his son committed.

MEMO-GATE ENDS:

Memo-gate issue is dead but it may be repeated again in some other shape as has been happening before in the chequered history of Pakistan. Some cases are not decided in the courts but the history notifies their judgments; as has been in the case of Mehran Bank Scandal of 1996. Asghar Khan Case can be taken here as reference. The same like scenario was developed by both, Gen Pasha and Nawaz Sharif, in 2011 by using the superior judiciary through memo-gate proceedings.

Summarizing the whole episode; memo scandal actually started on 2nd May 2011 when the sovereignty of Pakistan was seen at stake in the backdrop of American raid at Abbotabad. The Osama Ben Laden's story was known to all in which Gen Kayani and Gen Pasha were substantially beaten on all fronts and their tall claims of bravery and strategic planning were defeated in just an hour's operation by the US intruders.

After three weeks, an attack on Naval Base Karachi, destroying Pak Navy's two intelligence planes, exposed Pakistan's tactical armed capacity before the whole world. The global voices had pushed Pakistan to the wall making the general populace believe that the army which were not capable of protecting their own strategic assets then; how would they safeguard the people of Pakistan; forget ruling the whole country or running the governments as had been in Gen Ziaul Haq or Gen Musharraf times.

After 2nd May 2011's episode, the second launching pad of memo-gate torpedo was the Financial Times issue of 10th October 2011 when Mansoor Ijaz got his essay published therein pointing towards another dubious character Husain Haqqani, the '***American Ambassador in America***' but sitting in Pakistan's Embassy premises in Washington and drawing his salary from the Foreign Office Islamabad.

The third blow and the final roars were trumpeted on **30th October 2011** at Lahore through Imran Khan's memorable public address. ISI, on one side provided moral support to the PTI but on the other end conveyed message to Nawaz Sharif for getting ready to kick out Zardari from the Presidency. This task was to be accomplished by firstly attracting favours of the MQM, JUI and dissidents from PML(Q) from within the Parliament and extending hands to Imran Khan's PTI outside Parliament premises.

Nawaz Sharif, as ever before, was not shrewd enough to understand the game. He, instead of moving ahead through political negotiations, preferred to depend upon 'his judiciary' which he had brought in March 2009 through his so called triumph in long march; ***thus himself walked into the Supreme Court with memo-gate petition.*** He was welcome by the apex court but had to move a step back at last feeling that memo-war was not at all staged for him.

During this memo-gate show, the PPP time and again tried to commit suicide as 'political martyr' but Nawaz Sharif every time provided them shelter, relief and protection; and saving PML(N)'s government in Punjab also. In the mean time three factors appeared almost simultaneously:

- Firstly; Imran Khan bravely announced that his PTI would not accept any other course of political change except through polls & democratic means.

- Secondly: the SC unambiguously announced that no unconstitutional measure would be upheld or even tolerated for change of government.
- Thirdly; Nawaz Sharif had realized that the 'hidden hands' were using the shoulders of PML(N) and the SC to fire their guns.

In nut shell, when Gen Kayani & Gen Pasha felt that their memo-exercise, though got proved in Judicial Commission and the SC, but went fruitless due to cumbersome centuries old procedures of the SC, they got frustrated. Ijaz also preferred not to land himself in more controversy and the result was that in the last week of January 2012, the SC allowed Husain Haqqani's name removed from the ECL. Three days later the special guest staying originally at Presidency and later at the PM House left for his home land, the America.

Nawaz Sharif's memo-case was not finished in the SC when the live shows at electronic media, long articles in the newspapers and the '*lunger gup*' in army messes had come to an abrupt end. Soon it sank deep into the history and the poor people of Pakistan were shown new versions of PPP's '*roti, kapra aur makan*' and PML(N)'s '*qarz utaro mulk sanwaro*' and Gen Musharraf's '*above board accountability*'.

An essay appeared in ***Pakspectators.com on 5th February 2012*** is referred for detail.

POST SCRIPT:

Referring to '***the Jang' dated 23rd November 2013***; Husain Haqqani had started his politico media career by joining Jama'at e Islami [JI], through which he entered in first line journalism in Gen Ziaul Haq era. He continued to appear on Pakistan's official PTV for weeks weeping and crying after General's crash in August 1988 – declaring him the '***martyr of Muslim Umma***'. From there Nawaz Sharif picked him and got included in his talented team as 'inmate advisor' because of his plans against Benazir Bhutto. Nawaz Sharif also blessed him with an esteemed slot of Pakistan's Ambassador in Sri Lanka for a year in 1992-93.

In Benazir Bhutto's regime, Husain Haqqani manoeuvred to land in the PPP through tens of his articles in media against Nawaz Sharif. When Gen Musharraf took over the reigns in October 1999, he went in self exile to America; from there he tried his level best to come close to the military command but could not succeed due to his chequered history. Gen Musharraf once told in a press conference that:

'Husain Haqqani is writing articles against my military rule while sitting in America because I had refused his request for a media related slot in my government.'

While settled in America, Husain Haqqani continued writing against Pakistan's institutions, then brought his first book '***Pakistan: between Mosque & Military***' sponsored by an American think tank NGO. Then in his latest book, Haqqani wrote against Qaed e Azam [father of the nation] Mr Jinnah for which Zafar Hilali, another former ambassador of Pakistan severely criticized Husain Haqqani [daily '***the News' dated 20th November 2013*** is referred] while saying:

'Husain Haqqani has done a fresh try to blame Pakistan for the destabilized diplomatic relationship between the US & Pakistan and what else he could do while sitting in Washington.

'He knew it well that if he presented an objective analysis of the things, based on truth, he could be deprived off all the amenities and facilities provided by the US government; he would be kicked out from America next day.'