Who is (not) Corrupt? An Open Season of Politics in Pakistan

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The history of corruption is as old as the state of Pakistan itself. The founder father of Pakistan, Quaid-e-Azam Muhammad Ali Jinnah and the first Prime minister of Pakistan, Liaquat Ali Khan, were the only credible rulers who could liberate the nation from this socio-economic disease. Unfortunately, Quaid-e-Azam died in 1948 and Liaquat Ali Khan was assassinated in 1952. Corrupt politicians soon turned the dream of the separate homeland where people would be happy, prosperous, progressive, remains a mirage. Even today, common people are being oppressed and exploited at every level.

The theory of free accessibility to justice, equity, accountability and equality has never been seen in the past and also remains doubtful in the future. It is almost incredible that many people still continue to believe that if Liaquat Ali Khan was alive today (as ruler), no one could dare to be corrupt as he, as a man of integrity, knew how the landlords, feudal and rich could be forced to pay the national taxes and had done so as a Minister pre-partition years in 1937.

Ironically, all the governments during the past and present, whether military or civilian, have failed to impose taxes on the rich feudal landlords and businessmen, because the later have been the dominating political supporters or allies of the establishment. Just to give a glimpse of what ails the Pakistani society most today, it would be good to narrate the story of the ex-President, Pervez Mushrraf’s policy of ‘amnesty’ known as the ‘National Reconciliation.’ His civilian supporters had floated that idea and the policy itself witnessed the granting of immunity to nearly 8000 persons. The amnesty, known as the National Reconciliation Ordinance, either stopped ongoing corruption related investigations or squashed decisions resulting in convictions in cases involving up to 8,000 persons including ministers, bureaucrats or politicians across the political spectrum. The amnesty decision unfairly protected the wealthy elite those who are enjoying power in Pakistan. Did Musharraf have the right to grant amnesty to the culprits those who had deceived the nation and also looted the public coffers? Could Mushrraf grant immunity to a person who had made to him a personal payment of billion/trillions of rupees? He did all that for his personal political greed not for the national interest.

The above story is just an indication. In Pakistan, corruption has become legalized in the name of national interest, and high ranking authorities are protected in the name of state security. Under
the existing Constitution of the Islamic Republic of Pakistan (clause 248), the offices of the President, the Prime minister, Governors, Ministers of State, the Chief Ministers and Provincial Ministers shall not be answerable to any court in the country for the exercise of power and functions of their respective offices or for any act done or purported to be done in the exercise of those powers and performance of those functions. Then the question comes that who can punish the corrupt politicians? President Zardari has long been haunted by allegations of corruption some of which date back to 1990s during the tenure of his late wife, Benazir Bhutto. He spent several years in prison under previous administrations. In spite of the pending cases, it is difficult to bring him to book because the Constitution provided him with legal immunity. This is perhaps the first ever Constitution in the world which protects the corrupt rulers, politicians, bureaucrats/establishment.

The Pakistani Constitution has been disfigured for the political or personal interests under the fig leaf of protecting the national interest. Almost all elected politicians or the dictators have undermined and damaged the institutions, or have morphed the rules or regulations that they thought could hurt their personal interests. In Pakistan’s modern political history all rulers have considered themselves above constitutional and institutional boundaries. Unfortunately, the people have never become a priority.

In December 2009, the Supreme Court of Pakistan declared the National Reconciliation Ordinance to be unconstitutional. The court had singled out a case of alleged multimillion dollar money laundering sam involving Zardari and his late wife that had been heard in a Swiss court until the attorney general under Musharraf withdrew proceedings against them in 2008 as a result of the amnesty. The Pakistani Supreme Court has now observed that this was illegal and ordered the government to ask the Swiss authorities to reopen the case. The present government is, however, playing all tricks in the bag to defer any decision at least, till they stay in power till 2013. In December 2009, again, an NAB court had issued arrest warrants against Interior Minister Rehman Malik in connection with two previous references against him. One of the references was for alleged misuse of authority and the other for the alleged receipt of two cars from Toyota Motors as illegal gratification to expedite the purchase of official vehicles. What happened? The president of Pakistan came forward to protect him and granted pardon.

The Prime Minister Gilani has refused to take note of such allegations of corruption in his government, claiming that, “these are mere allegations and wrong perceptions, and anybody having proof in this regard can move the court.” In October 2009, the Attorney General, Latif Khan Khosa was removed by the Prime minister from the constitutional office after the Supreme Court initiated a probe into allegations of corruption against him. In his case, the convict, Maghfoor Shah, a former general manager in the National Highway Authority, had been sentenced to five years of imprisonment and fined over Rs.3 million and 200,000 US dollars, after having been found guilty of corruption. After failing to get relief from the Supreme Court, he claimed to have bribed Mr Khosa for his help. The Attorney General Mr Latif Khan Khosa, allegedly had promised to acquit him within a month in return for a bribe of Rs. 30 lacks. The amount was allegedly paid on Feb 19, 2009. The Attorney General’s removal from his office was an evidence of corruption being done at the government level.
The common Pakistanis have become accustomed to the rather depressing listing of corruption brought out by Transparency International each year. This year has been no different, with Pakistan, as predicted, sliding to 34th place from its previous position of 42nd on an index topped by Somalia. In November 2010, the Pakistani government has launched a campaign to fight corruption with much fanfare. It’s perhaps time for the government to realize that corruption has become deeper level social malaise in Pakistan which would require serious handling than some mere cosmetic changes. As Aristotle once wrote, “a state is an association which exists for the good of its members. If its power is exercised for the good of the people, the ruled, the state is of a normal or good form. But if it is exercised for the benefit of the rulers, it is then a bad or perverted state”. As a student of political science and international relations I agree with this statement. What about the government in Pakistan?

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