



## Uncertainty ahead

Nawaz Sharif's disqualification could set up a spell of political instability in Pakistan

The disqualification of Prime Minister Nawaz Sharif from holding public office, by the Pakistan Supreme Court in the Panama Papers case, leaves a huge political vacuum in the country. This is the third time Mr. Sharif's premiership has been cut short. If his first two terms were ended by the country's powerful military, first forcing him to resign and then overthrowing his government in a coup, this time it was through a formal legal process. The Supreme Court invoked a controversial Article of the Constitution that requires politicians to be "honest" and "righteous". The court ruled that Mr. Sharif was dishonest in failing to disclose in his 2013 election nomination papers his association with a UAE-based company and therefore was unfit to continue in office. The court also referred money-laundering allegations against Mr. Sharif and his children to the National Accountability Bureau, the anti-corruption regulator. While Opposition politicians, especially the Tehreek-e-Insaf's Imran Khan who filed a petition in the Supreme Court against the Sharif family, have welcomed the ruling as an endorsement of accountability, there are some worrying legal and procedural questions about the Supreme Court's decision. For instance, should it have waited for the full investigation into the corruption allegations before disqualifying him?

At the practical level, the focus is on whether Mr. Sharif's exit will fuel political instability. A seasoned politician with immense popularity and experience in dealing with the military, he upheld his authority in his third term despite sustained pressure from the generals. There were occasional flashpoints, but the military largely refrained from showing its hand. It had chosen to exercise its powers over the executive indirectly, to avoid public disenchantment of the sort that undermined its image during the years of Pervez Musharraf's presidency. Over the last four years Pakistan has had a spell of relative economic stability, an easing of the electricity crisis and a drop in terror attacks. But now that Mr. Sharif is gone, it is not clear how the military will deal with any resultant political instability or executive frailty. The Pakistan Muslim League-Nawaz has quickly named Shahbaz Sharif, the former Prime Minister's brother and the Chief Minister of Punjab, as his successor to ensure a smooth transition as well as to stop its rivals from gaining from a prolonged crisis. But the younger Sharif, who had a run-in with the military last year, has big shoes to fill at a challenging time. With Pakistan going to the polls next year and the opposition, mainly Mr. Khan's PTI which is in effect the king's party, trying to turn corruption into a galvanising electoral issue, Shahbaz Sharif will take charge while the country is virtually in campaign mode. All this is happening at a time when Pakistan is coming under increased pressure from the United States to act against militants, and while border tensions with India and Afghanistan continue to remain high. Even with his brother's backroom support, Shahbaz Sharif will have his plate full.

## Congress in disarray

The desertion of six MLAs reveals a deeper malaise in Gujarat's main opposition party

More than three decades after it last won an outright majority in the Assembly election in Gujarat, the Congress was tipped by many to make 2017 a breakthrough year in the State. Its rival, the ruling Bharatiya Janata Party, no longer boasts a strong regional leader: Narendra Modi moved over as Prime Minister, and his successors, Anandiben Patel and Vijay Rupani, have not managed to step out of his shadow. Also, after five consecutive victories, the anti-incumbency factor hangs heavily over the BJP. But, as before, the Congress does not seem to have the stomach for a head-to-head fight with the BJP in Mr. Modi's home ground. The first hints of a crisis began innocuously enough: with the Congress Leader of the Opposition in the State, Shankersinh Vaghela, unfollowing party vice-president Rahul Gandhi and senior leader Ahmed Patel on Twitter. What looked like a pressure tactic to earn nomination as the Congress's chief ministerial candidate soon turned into open defiance, and eventually ended in a parting of ways. Mr. Vaghela, who joined the Congress in 1998 after deserting the BJP in 1996, seems to have resented the influence wielded by Mr. Patel, a confidant of the Nehru-Gandhi family, within the Congress organisational structure. Once he quit the Congress, the stage was set for an open revolt when Mr. Patel was re-nominated for a Rajya Sabha seat from Gujarat. As six members of the legislature deserted the party, the Congress was in panic mode. In normal circumstances a party in the opposition would not be alarmed at the switching of sides by a few MLAs. But the Congress, which lays great store by Mr. Patel's backroom manoeuvring skills, evidently thinks it cannot afford to see him defeated, and flew the remaining 44 MLAs to Karnataka. Whether or not the Congress managed to portray the BJP as a party poaching on its MLAs, it sent out the message that its MLAs are susceptible to offers, in whatever form, from the other side.

But beyond the election of Mr. Patel, what should worry the Congress is the longer-term impact of the desertion from its ranks. With the Assembly election due by the end of the year, the party needs to galvanise its cadres and functionaries. But over the years, Mr. Modi seems to have succeeded in portraying a cloak of invincibility; he is now a larger-than-life figure in Gujarat, after having served as Chief Minister for a record 12 consecutive years. Long periods out of power can breed a sense of helplessness and inability in a party. In looking too closely at the here-and-now of the Rajya Sabha election, and not enough at the big picture of the approaching Assembly election, the Congress seems to have missed a trick in Gujarat.

# Pakistan sticks to a sad tradition

Nawaz Sharif is clearly a flawed man but the manner of his removal from office is even more flawed



HUSAIN HAQQANI

The decision by Pakistan's Supreme Court to disqualify Prime Minister Nawaz Sharif reaffirms the iron law of Pakistani politics: a politician can amass wealth and engage in corruption only as long as he does not challenge the ascendance of the country's powerful national security establishment. Although Mr. Sharif has ostensibly been disqualified over the so-called Panama Papers, which exposed holders of offshore bank accounts, the verdict against him has little to do with the revelations in the Panama Papers.

Mr. Sharif and his family have definitely expanded their assets several fold since his entry into politics more than three decades ago as a protégé of the Islamist military dictator, General Zia-ul-Haq, and the former chief of the notorious Inter-Services Intelligence (ISI). But he was not put on trial for corruption and convicted. Instead, the Supreme Court acted politically, as it often does, and created a Joint Investigation Team (JIT) that included military intelligence representatives. The JIT's job was ostensibly to uncover the trail of the Sharifs' wealth and the Supreme Court used the JIT's findings to determine that Mr. Sharif could no longer fulfil the constitutionally mandated qualifications for his office.

When he ended Martial Law, General Zia had added several provisions to Pakistan's Constitution, some of which related to moral qualifications for membership of parliament. Their purpose was to give the all-powerful national security establishment a constitutional instrument to control the political process even after the military's withdrawal from direct political intervention. Those provisions have finally been invoked to rid Pakistan of a meddlesome Prime Minister.



parties, have been cited as the means whereby the establishment can keep politicians on the straight and narrow.

In its judgment disqualifying Mr. Sharif, the Supreme Court has found him in violation of Article 62 (1)(f) that demands that members of Parliament be "sagacious, righteous, non-profligate, honest and Ameen". The last of these, "Ameen", meaning 'the keeper of trust' is one of the attributes of Prophet Muhammad, which by definition is a hard standard to meet for any Muslim who deems the Prophet 'the most perfect' human being. Ordinary mortals can easily be found in violation of that noble standard.

By claiming the right to disqualify any elected representative of his/her office for not meeting such exacting standards of probity, the Pakistani Supreme Court has arrogated to itself the authority similar to that of Iran's Guardian Council, which vets all candidates for elective office. The Council routinely disqualifies politicians on grounds that they are not sufficiently dedicated to Islamic values.

### Setting a precedent

The disqualification of Mr. Sharif sets the precedent for future judicial coups. That does not mean Mr. Sharif has not amassed wealth beyond explainable means or does not

have property across the world that might have been acquired through questionable transactions. But corruption must be dealt with by legal means, not on the say of rival politicians or intelligence operatives operating without being subject to laws of evidence.

If legally admissible evidence of corruption had existed, there would have been a trial, not direct intervention by the Supreme Court, which should only be the court of final appeal in criminal matters. So what is really going on? Pakistan is simply keeping its sad tradition that disallows politicians to ever be voted out of office by the voters who elected them to that office in the first place.

In the last seventy years, all Pakistani Prime Ministers have either been assassinated, dismissed or forced to resign by heads of state with military backing, or deposed in coups d'etat. Mr. Sharif is the second Prime Minister, after Yousuf Raza Gilani, to be sent home by an activist Supreme Court amidst an orchestrated media furor. Ironically, Mr. Sharif was installed as Prime Minister in 1990 by the military in intrigue that was exposed decades later. That intrigue involved the army creating the multi-party alliance, Islami Jamhoori Ittehad (JI), through the ISI and funding Mr. Sharif and others with money taken from corrupt businessmen. At that time, the Pakistani establishment deemed Benazir Bhutto 'a security risk' over her avowed desire to change attitudes towards India and the rest of South Asia.

Mr. Sharif fell out of the army's favour when he decided to assert himself in the conduct of foreign and national security policy after becoming Prime Minister. He was ousted once by the President and a second time by the army chief in a coup. Elected for a third time, he has now been sent packing

through the Supreme Court. He is clearly a flawed man but the manner of his removal from office is even more flawed.

### The India connection

During the Panama Papers saga, Mr. Sharif was accused in social media of being an Indian agent and rumours swirled of his alleged investments in India and 'secret partnerships' with Indian businessmen. This reveals the real cause of anxiety with him, which could not be rumours of corruption because that did not bother the establishment when it initially supported him.

The role Mr. Sharif played in the late 1980s, as the establishment's Cat's Paw, has now been taken over by cricketer-turned politician, Imran Khan. There is no guarantee, however, that if Mr. Khan ever comes to power he would not meet a similar fate when he insists on making policy instead of being content with having office and implementing the establishment's prescriptions. Just like the IJI-ISI intrigue was fully uncovered decades later, we will probably find out details of the intrigue leading to Mr. Sharif's ouster several years later too.

Unfortunately, Mr. Sharif's ouster is unlikely to stem the tide of widespread corruption in Pakistan. It might also not be the end of Mr. Sharif, who could possibly win another election in his Punjab base. But the episode proves again that Pakistan is far from being a democracy where the law takes its course, institutions work within their specified spheres and elected leaders are voted in or out by the people.

Husain Haqqani, Director for South and Central Asia at the Hudson Institute in Washington DC, was Pakistan's Ambassador to the United States from 2008 to 2011

# High premium, doubtful returns

It is not clear how Nitish Kumar's shifting alliances will give him an electoral edge



SANJAY KUMAR

Bihar Chief Minister Nitish Kumar may think that his political move of first resigning from his grand alliance (Mahagathabandhan) with the Rashtriya Janata Dal (RJD) and the Congress and then very quickly joining hands with the Bharatiya Janata Party (BJP) to form a new government is a master stroke. He may have thought that breaking away from the RJD by adopting the high moral ground on the issue of corruption would go in his favour, boosting his image as a leader who believes in no nonsense politics. He has also managed to retain his chief ministership by forming a new alliance with the BJP. Assuming that there are no hiccups, the ties could continue even after 2020 when the next Assembly election is due.

What Mr. Kumar has failed to realise is that his image as an honest leader may have been boosted

nationally, but his move towards the BJP within hours of breaking up with the RJD has also projected him as being an absolute opportunistic leader. His two widely acclaimed positive traits, of honesty and integrity, are turning out to be a liability for him. His image is of a clean politician, and he may seem to be crumbling under its weight. What he has not realised is that in his commitment to fight against corruption, he has ended up making a compromise on the issue of secularism which is no less dangerous than corruption for democratic governance.

### A different politics

The politics of Bihar is a bit different from the politics of Delhi. It may be possible to mobilise a sizeable number of urban voters with a clean image and we have seen that happening in Delhi in recent years. But this may not be possible in a primarily rural and caste-based society such as Bihar where identity plays an important role in electoral mobilisation. At this moment, Mr. Kumar is certainly the most popular leader in the State, popularly known as "Sushasan babu" but having such an image is not enough



to win election. Even when the Mahagathabandhan contested the election under his leadership, the electoral performance of his own party, the Janata Dal (United), was poor when compared to the performance of the RJD.

Contesting an equal number of seats, the RJD managed to win 80 with 44.2% votes per seat contested, while the JD(U) managed to win 71 seats with 40.5% votes per seats contested. The Congress managed to win 27 seats contested with 39.3% votes per seat contested. Mr. Kumar has been the Bihar's Chief Minister since 2005, with his success linked to political alliances. While the 2005 and 2010

victories were in alliance with the BJP, his win in 2015 was a result of the Mahagathabandhan. The JD(U) was a major partner in 2005 and 2010, winning 88 and 115 seats, respectively. In the votes polled per seat contested, the BJP was only 2 percentage points behind the JD(U), while in 2010, the vote share of the BJP per seat contested was higher by 1 percentage point.

The inability of the JD(U) to attract votes which could win it an election is mainly because the party does not have a core base. The Yadavs, and to a great extent Muslims, have been core supporters of the RJD, with more than 65-70% of Yadavs having voted for the RJD in different elections. The two groups, roughly 16-17% each of the population, form a sizeable vote bank for the RJD. The BJP may only have the upper castes (15% of the population) as its core base in Bihar but they have always stood behind the party; 85% of them voted for the BJP during the 2014 Lok Sabha and 2015 Assembly elections.

### The repercussions

Lok Janshakti Party leader Ram Vilas Paswan has a strong presence

among the 16% Dalit voters in Bihar. The two non-Yadav upper Other Backward Classes, the Kurmis and the Koeris, are the only core supporters of the JD(U) but their numbers are not enough – together they constitute roughly 5-6% – to give the JD(U) an advantage over other parties. The lower OBCs, who roughly account for 25% population, are a divided lot but in the recent Lok Sabha election, shifted towards the BJP. Many of them did vote for the Mahagathabandhan in 2015. With Mr. Kumar forming a new alliance with the BJP, large numbers of them may tilt towards the new alliance. But how much he gains from this remains to be seen. I wonder whether even the upper castes, unhappy with Mr. Kumar for breaking the alliance with the BJP earlier, would be willing to vote for him in future elections. All in all, Mr. Kumar has been able to save his chair, but the premium he has paid is huge. The damage it has done to Opposition unity is even bigger.

Sanjay Kumar is a professor and currently Director, Centre for the Study of Developing Societies (CSDS) Delhi. The views expressed are personal

## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

### The Bihar wicket

It is ironic that Bihar from where Jayprakash Narayan's vision of a total revolution took off is today a quagmire of political intrigues triggered by unscrupulous power brokers ("The curious case of Nitish Kumar", July 29). What a fall for Mr. Kumar who has shown his true colours. As far as the Congress's Rahul Gandhi is concerned, his epiphanic outbursts past the event are amusing. If he knew, as he now claims, about what was coming, what was he doing to avert the crisis? The political naivety of Mr. Gandhi has cost the Congress heavily. The BJP's strategists have all the more reason to exult in the vein of *veni, vidi, vici* with the Nitishes everywhere giving them more than a helping hand.

SATISH C. AIKANT, Mussoorie, Uttarakhand

Nitish Kumar's walking out of Bihar's Grand Alliance extinguishes the last flicker of hope in the BJP-led NDA to take on the BJP-led NDA in the 2019 general election. Opposition leaders across the spectrum were looking up to Mr. Kumar to repeat the V.P.

Singh magic but their hopes have been dashed. With Rahul Gandhi still to find acceptability as a leader of any potential grouping, Mr. Kumar was the ideal choice due his "impeccable" image. Whether the break-up is a masterstroke or a huge miscalculation, only time will tell.

P. ARIHANTH, Secunderabad

### Sober and erudite

The interview by Opposition nominee for the vice presidency, Gopal Krishna Gandhi, has revealed himself to be an equanimous and enlightened personality who speaks with the courage of conviction ("Assert the right to criticise, but do it with courtesy", July 28). While accepting that patriotism and nationalism are great phenomena he draws a line when they become hyper-varieties. It is a refreshing thought especially when the term 'patriotism' has become a much maligned one by both rightists and ultra-leftists. He has no quarrel with 'patriotism' unless it turns out as 'hatritism' – a term famously coined by the

interviewee himself. AYYASERI RAVEENDRANATH, Aramkulam, Kerala

### Choosing the VP

As a reader of *The Hindu* for the past 45 years, I was appalled by the article by Peter Ronald deSouza ("The Vice President's mien", July 24). That one of the vice presidential candidates is the grandson of Rajaji and Gandhiji has no relevance. Is he saying that the grandsons of great men are great and those of anti-socials will be anti-socials? The way one leads one's life is purely based on the individual capability. If the writer is so charged about the need for a consensus candidate, he should pose the question to Congress leader Sonia Gandhi. What prevented her from getting off her pedestal and discussing the issue with the Prime Minister?

The writer's attack on the Rashtriya Swayamsevak Sangh is strange. Does he know the humanitarian aid the RSS has been involved in in times of distress? By allowing publishing such articles, *The Hindu* is giving credence to the talk that it is anti-BJP. There should be equal opportunity for

someone from the Opposition to issue a rebuttal. SARANGAN RAMASWAMY, Bengaluru

### The abortion law

Deficiencies in the abortion law have put a 10-year-old pregnant child through the grind of the judicial system ("Not just a question of weeks", July 29). This is not the first incident of its kind and, as things stand, will not be the last. In the past few years, there has been a string of cases of women approaching courts to terminate their pregnancies beyond the 20-week limit. Judicial pronouncements in these cases have also been somewhat inconsistent. In a country where violence against woman is so common, it is our laws that are failing them. How many more women and children must suffer before our legislators understand that our abortion laws need to change?

SAUMYA SHARMA, Dehradun, Uttarakhand

### For a pot of water

The series of reports, "MMC hostels go without water" (July 30), "A moi virunthu in

Washington" (July 30) and "5 more quarries to be tapped for water" (July 29, all Tamil Nadu editions), show that there is a gross mismanagement of traditional water management systems in Tamil Nadu and Chennai city. It is a paradox that after the massive flood of 2015, the city is now in the grip of a punishing drought that continues well into 2017. And it is unlikely that the monsoon in 2017 will help the city tide over the crisis. As a region wholly dependent on a good northeast monsoon, planners cannot afford to be complacent. Most of the innumerable dams and irrigation channels in the State remain bone dry or have reached dead storage levels. One cannot blame a poor monsoon season either.

### CORRECTIONS & CLARIFICATIONS:

In the report headlined "CAG spots weaknesses in missile defence system" (July 29, 2017) the reference to *Bharat Electricals Limited* (BEL) should be corrected to read *Bharat Electronics Limited* (BEL).

The second deck headline of a Life page story, "Colour-blind flatworms can still choose between colours" (July 29, 2017), was: "NCBS research provides clues to genes and molecules linked to eye regeneration." It should have read *inStem* research instead of *NCBS* research.

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