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a hundred beats

A national shame

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By Fatima Bhutto

Last week a Chilean judge ordered the arrest of late dictator Augusto Pinochet's five children and his widow on grounds of embezzlement. The family of the recently deceased General Pinochet is charged with stealing some \$27 million. The esteemed Pinochet family, a family that economically, politically, and socially raped and pillaged Chile from 1973 till 1990 received a stark warning -- they are answerable for their crimes and they will be held accountable. 'No one in Chile is above the law' said Chilean president Michelle Bachelet.

In Israel, Prime Minister Ehud Olmert is currently being investigated on charges of corruption and not for the first time I might add. He has not been able to dodge any of his charges but is facing them as we speak. Alberto Fujimori, former president of Peru and a man known for his authoritarian style of leadership, has recently been extradited back to his country after several years of self imposed exile (read hiding) to face charges of corruption and human rights abuses. Fujimori calls the charges against him 'politically motivated', this is a chorus most often sung by the morally bankrupt, yet he too is not above the law. No one is.

This bears repeating. No one, prime ministers or presidents, men or mortals, is above the law. How then do we Pakistanis justify our government's promulgation of the ethically repellent National Reconciliation Ordinance? With what authority can a state proclaim that all politicians, bureaucrats, and (via nepotism) certain friends and relatives accused of 'political misconduct' or murder and 'economic misappropriation' or stealing for the last twenty years are to be immediately absolved of their crimes? With what conscience can we as citizens stand by and allow this to happen?

Information Minister Mohammad Durrani gregariously intoned that this was a 'healing process' and one that 'we hope will change the political culture of Pakistan'. Absolutely, he is spot on. The National Reconciliation Ordinance will most certainly change the political culture of Pakistan. Previously, corruption took place under the table. Now, safeguarded by an odious and illegal ordinance it will take place firmly on the table.

Corruption and its stigma will be cleansed by this ordinance, extra judicial killings and target assassinations will be excused with a shrug of the shoulders and this country and its people will pay the price for this sanctioned lawlessness and shameless appeasement. Now crime will be accepted and tolerated as a side effect of power, it will become open -- with no fear of recrimination attached to the committing of economic robbery or political violence though we all know it is the fear of recrimination that stops most low-level thugs from repeating their offenses.

The National Reconciliation Ordinance -- by the wunderkinds who drafted this ordinance might want to crack the spine of a dictionary or Google the exact meaning of the word 'reconciliation' -- will wipe clean the slates of hundreds and thousands of dirty politicians who have claimed that this is a necessary step to ensure that Pakistan can move forward into the future. As a bonus the ordinance will also make it near impossible to file charges against a sitting parliamentarian, reinforcing the dictum that those in power are indeed above the law of the land. Real reconciliation would involve these criminals, these dastardly criminals, serving jail time for their excesses and being made to repay the billions of rupees back to the people whom they deprived by their corruption. Reconciliation would involve taking the money spirited away from our country and putting it into funds that serve the nation -- schools, environmental initiatives, and hospitals. Reconciliation does not involve welcoming corrupt and compromised economic looters back into the country with open arms.

The talking heads of this administration, who have sunk to despicable lows with this capitulation, must know that they and everyone else who supports this ordinance automatically condemns themselves. They paint themselves with the scarlet letter of economic dishonesty and fraud. Anyone who does not raise his or her voice and raise it loud against this profanity has something to gain by it.

President/General Musharraf ushered in this ordinance as part of a deal between his government and Benazir Zardari, who single-handedly managed to steal Rs. 90 billion from this country and its people. Mrs Zardari, a democrat of course, demanded that the ordinance be passed and approved by cohorts such as the legally dubious Farook Naik before she heroically agreed to return to Pakistan. She also intimated that she and her party, now dubbed PPP -- Pervez Peoples Party, would make life easy for the president should he be a darling and drop her and her cronies cases. Musharraf might not have any qualms about betraying the honour of his position and his uniform, but I have some questions.

Why did Mrs Zardari demand that her and her ruthlessly corrupt party workers -- and we know who they are, their names are slathered on posters all over our city -- have their cases dropped by a presidential ordinance when they claim to stand for the independence of the judiciary? This is the highest level of judicial subversion this country has witnessed in a long time. What about the sanctity of the law regarding these cases? Mrs Zardari and many of her chums are absconders, that is why the cases against them in the courts have not been able to proceed, not for any lack of evidence.

Why did Mrs Zardari demand that her corruption cases, and there are many, be dropped and not demand that the cases of activists jailed during Zia's brutal regime not be quashed? Because those cases predate her timeline; they were filed before she started making money through power, before 1986. Why was there no question of amnesty for those Pakistanis who fought bravely and nobly against Zia's authoritarian repression?

When her brother, my father Mir Murtaza Bhutto, returned to Pakistan in 1993 he returned to face 99 cases placed against him by Zia's military regime. Those 99 cases all carried the death penalty and they were all standing ready to be tried in court. Though his sister was in fact the Prime Minister, he did not ask her to drop his cases. He did not ask her to give him amnesty. He

returned to his country, was arrested at the airport, and spent the remaining years of his life clearing his name, legally and with confidence, in the courts of Pakistan.

Why did Mrs Zardari demand as part of her sell out deal to have Article 58(2)(b) dropped? The article allows the president to remove the prime minister. Why did Mrs Zardari demand this article be removed and not the Hudood Ordinance? Because only Article 58(2)(b) applies to her.

Why did Mrs Zardari demand that the constitution be amended to allow prime ministers to hold more than two terms, some thing that flies spuriously into the face of democratic ideals, and not demand that the 1973 Constitution be restored? Because without any accompanying principles her name is only a name. As she wears it, it does not carry with it a legacy of dignity or concern for the people of this country.

We demand answers. We must demand the answers to these questions. No one is above the law. With the illegal passing of this ordinance, this country and its foundations -- Jinnah's foundations -- have been severely mutilated. We will have a corpse of a nation, and that's just as well because the gravediggers are on their way to celebrate.