



Global Nonviolent Action Database

Published on *Global Nonviolent Action Database* (<https://nvdatabase.swarthmore.edu>)

Pakistani lawyers protect constitution and reinstate judges (Save the Judiciary Movement), 2007-2009

March 9,
2007

to: March 16,
2009

Country: Pakistan

Goals:

Establishment of Rule of Law, Supremacy of the Constitution, Civilian supremacy over military, and the restoration of Chief Justice Iftikhar Muhammad Chaudhry & sixty other judges dismissed illegally by Pervez Musharraf in November 2007.

Methods

Methods in 1st segment:

- 001. Public speeches
- 016. Picketing
- 047. Assemblies of protest or support

Methods in 2nd segment:

- 001. Public speeches
- 005. Declarations of indictment and intention
- 047. Assemblies of protest or support

Methods in 3rd segment:

- 005. Declarations of indictment and intention
- 047. Assemblies of protest or support
- 048. Protest meetings › National Lawyers Convention hosted by the Pakistani Bar Association to set the campaign goals
- 142. Selective refusal of assistance by government aides
- 197. Work-on without collaboration › Lawyer and judges defied the state of emergency by conducting business as usual

Methods in 4th segment:

- 005. Declarations of indictment and intention
- 008. Banners, posters, and displayed communications

- 041. Pilgrimages › The four-day long march began in Karachi and converged on the capital, Islamabad. The final estimated number of participants was 500,000 and the total distance “marched” from Karachi was about 1,500 kilometers.
- 042. Motorcades › Much of the Long March in June 2008 was done in a long train of cars and other vehicles that displayed banners and signs on their way through cities.
- 151. Changes in diplomatic and other representation › Both the US and UK governments appealed to Musharraf that he repeal the state of emergency.

Methods in 5th segment:

- 047. Assemblies of protest or support › numerous protests and rallies throughout the country, including on the day of Musharraf’s resignation

Methods in 6th segment:

- 006. Group or mass petitions › The 10 million signatures movement to be used on a gigantic banner that would be processed in the the second long march
- 008. Banners, posters, and displayed communications › Respond to Vote, Restore Judiciary"
- 041. Pilgrimages › 2nd Long March to Islamabad to stage a sit-in at the capitol building, the government gave in before the march reached Islamabad
- 042. Motorcades › The 2nd Long March also involved a long train of vehicles with banners and signs

Classifications

Classification:

Defense

Cluster:

Democracy

Group characterization:

- Pakistani lawyers
- judges
- other members of the legal community

Leaders, partners, allies, elites

Leaders:

Aitzaz Ahsan (prominent Pakistani lawyer/politician, leader of the Lawyer's Movement), Athar Minallah (Pakistani lawyer that focused on strategic planning for the campaign)

Partners:

Labour Party of Pakistan, the Socialist International, the Peoples' Resistance Group, and political parties such as the Pakistan Tehreek-e-Insaf (PTI), Jamaat-e-Islami, Pakistan Muslim League (PMLN), Pakhtun-khwa Milli Awami Party, Awami National Party and Pakistan Peoples Party (PPP)

External allies:

GeoNews

Involvement of social elites:

British and U.S. governments appealed diplomatically to Musharraf to repeal the state of emergency

Joining/exiting order of social groups

Groups in 1st Segment:

- Supreme Court Bar Association of Pakistan

Groups in 2nd Segment:

- Lahore High Court Bar Association
- Peoples Lawyers Forum

Groups in 3rd Segment:

Groups in 4th Segment:

- Peoples Lawyers Forum (exit)

Groups in 5th Segment:

- GeoNews

Groups in 6th Segment:

- Jamaat-e-Islami
- Pakistan Muslim League (Nawaz Group)
- Pakistan Tehreek-e-Insaf

Segment Length: 4 months

Opponent, Opponent Responses, and Violence

Opponents:

President Pervez Musharraf, President Asif Ali Zardari

Nonviolent responses of opponent:

Not known

Campaigner violence:

Not known

Repressive Violence:

The government arrested, detained, and tortured lawyers on different occasions. For the first time in the history of Pakistan, armored police vehicles entered the premises of the Lahore High Court to attack the protesting lawyers who had sought refuge within the high court building. Several lawyer leaders were kept under house arrest for several months. In Karachi, anti-lawyers movement and ally of the government Muttahida Qaumi Movement(MQM) torched a lawyer's office in which about 7 lawyers were burnt alive. In Sahiwal, police acting on the orders of the Musharraf regime attacked the lawyers with a petrol bomb, causing several lawyers to suffer major burns.

Success Outcome

Success in achieving specific demands/goals:

6 points out of 6 points

Survival:

1 point out of 1 points

Growth:

3 points out of 3 points

Notes on outcomes:

All of the goals stated by the Lawyers' Movement were accomplished by March 16, 2009. The judges were restored to their original positions prior to the state of emergency, including Chief Justice Chaudry. They had removed President Musharraf from office and revoked the Presidential control of the military.

The campaign also grew from a few thousand lawyers to hundreds of thousands of Pakistani civilians.

On March 9, 2007, Pakistani President Pervez Musharraf suspended Supreme Court Chief Justice Iftikhar Chaudhry from his duties on the Court in response to Chaudhry's challenges to his Presidency. Interpreted as an attempt to reduce the power and independence of the judicial branch, the Pakistani legal community organized immediately to reverse the decision. Lawyers from across the political spectrum immediately organized protests and rallies throughout the country. The very first demonstration was a picket line that took place outside the Supreme Court building in Islamabad on the day of Chief Justice Chaudhry's trial. The activist lawyers, known as "Men-In-Black", led several protests in Islamabad gaining a lot of attention and support from the Pakistani media. After the trial, Chief Justice Chaudhry also went on a speaking tour. He visited several counties throughout the country explaining the anti-democratic behaviors of the Pakistani government.

Musharraf retaliated with a violent repression sending a strong police force that used tear-gas, baton-charges, mass-arrests, and torture against these initial demonstrations. The lawyers remained resilient and began to hold weekly rallies in downtown areas especially in the cities of Islamabad, Karachi, and Lahore where Pakistani High Courts and large Bar Associations are located. By June, Musharraf felt forced to reinstate Chief Justice Chaudhry. However, the victory was only temporary because Chief Justice Chaudhry continued to put pressure on the government to follow more democratic procedures and clean up the corruption, including demanding the release the names of those who had been 'disappeared' in the "War on Terror." In November, the Court was to rule on the legality of Musharraf's prior re-election, which had been very controversial; however, claiming that it was necessary to combat terrorism, Musharraf declared a state of emergency on November 3 in all of Pakistan and enacted a Provisional Constitutional Order that suspended the constitution without judicial oversight. In response, two-thirds of Pakistan's senior judges refused to accept the emergency rule and lawyers of the Sindh High Court in Karachi defied the order by conducting "business-as-usual". In response to this defiance, the police arrested lawyers and judges at the Sindh High Court and all across the country. They entered offices, libraries, and even bars to round up more than 25,000 lawyers and judges and put them into jail.

However, some of the top lawyers in the country, who were also heads of the campaign, such as Aitzaz Ahsan and Athar Minallah, made requests to the American Bar Association, United States law schools like Georgetown University, the Bush Administration, and the British government. Despite the fact that Musharraf had aided the United States in its "War on Terror", both countries appealed diplomatically to Musharraf that he repeal the emergency rule. In late November 2007, Musharraf resigned from his position as Army chief (a position that had been contested by Chaudhry in 2006 and 2007) and in December he repealed the emergency rule, including the suspension of the Constitution.

The assassination of Benazir Bhutto, the leader of the main opposition party, in December of 2007 caused a two-month postponement of the coming election, but this did not serve as a significant detriment to the campaign. The opposition parties gained a majority in the government. Also, just prior to the elections, on February 9, 2008, the Pakistan Bar Association hosted a National Lawyer's Convention in Islamabad, during which the campaign organizers set the goals for the movement and reinforced their conviction to continue the struggle until the restoration of the Constitution and the Honorable members of the judiciary as of November 2, 2007. Although the state of emergency had been repealed, many of the justices, including Chief Justice Chaudhry, remained banned from practicing law.

In May of 2008, the Pakistan Bar Council announced that it would march from Lahore to the capital Islamabad, a trek of over 1,500 km that came to be known as the Long March. The march, which consisted of a train of cars and other motor vehicles,

began on June 14 and lasted until the 18th. They started with only 50,000 people, but by the end had gained over 500,000. Actions that had begun as a protest of the legal community now included the support of other political activists and parts of mainstream society. The purpose of the march was to demand the resignation of president Musharraf and to call for the reinstatement of the deposed judges. Facing impeachment from the newly elected parliament and the immense pressure demonstrated by the Long March, in August of 2008, Musharraf resigned. Unfortunately, the change in regime did not mean that the executive branch's attitude toward the judiciary had changed. The Lawyers' Movement needed to continue to demonstrate in order to ensure that the new President Asif Ali Zardari followed through on his campaign promises to institute the full autonomy of the Judiciary branch.

The lawyers' suspicions proved to be true. After being elected on September 6, 2008, President Zardari neglected the demands of the lawyers. Throughout the transition period, he kept them at bay by extending the timeline by which he would complete his promises. However, on March 12, 2009, the lawyers' movement organizers mobilized hundreds of thousands of supporters to demonstrate their impatience and seriousness. They organized another Long March motorcade to Islamabad where they planned to hold a mass sit-in until Chaudhry was once again reinstated. The signs and banners read, "Respond to Vote, Restore Judiciary." Led by another prominent lawyer and campaign leader, Nawaz Sharif, thousands of people began to converge on the capital, but before they reached the city, Army chief, General Ashfaq Pervez Kiyani intervened and promised Nawaz that the judges would be reinstated. That night all of the judges, including Chaudhry, were restored to their position and the lawyers' movement won its final victory. The judiciary had regained its autonomy.

Research Notes

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"Victory in Pakistan Lawyers' Movement" Photo Essay <http://www.time.com/time/photogallery/0,29307,1885685,00.html>

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A project of Swarthmore College, including Peace and Conflict Studies, the Peace Collection, and the Lang Center for Civic and Social Responsibility.

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