ISSN: (E) 3007-1917 (P) 3007-1909

THE EMERGENCE AND EVOLUTION OF THE LAWYERS' MOVEMENT IN PAKISTAN: RESISTANCE AND MOBILIZATION

Muddasser Jatala^{*1}, Syed Akmal Hussain Shah²

^{*1}Assistant Professor (Allied Faculty) Namal University Mianwali mudassir.jatala@namal.edu.pk ²Assistant Professor Department of History & Pakistan Studies International Islamic University,Islamabad, Pakistan

²akmal.hussain@iiu.edu.pk

Corresponding Author: *			
Received	Revised	Accepted	Published
15 September, 2024	15 October, 2024	30 October, 2024	19 November, 2024

ABSTRACT

This paper provides an overview of the lawyers' movement in Pakistan, its historical background, key events, and its impact on the country's political landscape. The paper analyzes the role of lawyers, their strategies, and their engagement with other civil society groups and political parties in the movement. The study employs a qualitative research methodology, including a literature review and an analysis of primary sources such as newspapers, speeches, and research articles. The paper argues that the lawyers' movement was a turning point in Pakistan's history, as it challenged the authoritarian rule and paved the way for the democratic transition in the country. Overall, the study concludes that, the unique aspect of the lawyers' movement is not its effect on the composition and structure of the judiciary and executive branches of the state, but the creation of a collective identity among lawyers, judges, political workers, politicians, urban professionals, media personnel, students, business community, and most importantly, ordinary Pakistani citizens. Ultimately, this paper argues that the Pakistani lawyers' movement provides valuable insights into the dynamics of political movements and the complex interplay between legal institutions, political power, and popular mobilization.

Keywords: Lawyers' Movement, Independence of Judiciary, Rule of Law, Civil Society Groups, Authoritarian Rule.

INTRODUCTION

This paper provides an overview of the lawyers' movement that took place in Pakistan from 2007 to 2009. However, this was not the first political movement in Pakistan. Since gaining independence in 1947, the country has witnessed the emergence of numerous social and political movements. In fact, there have been four major nationwide movements in Pakistan's history. The first significant movement occurred in 1968–69, when students, unions, laborers, and other societal groups mobilized against then-President General Ayub Khan. The second was launched in 1977 by opposition parties against the government of Prime Minister Zulfikar Ali Bhutto.

The third, known as the Movement for the Restoration of Democracy (MRD), was initiated in 1983 by the Pakistan Peoples Party (PPP) in collaboration with other political forces against General Zia-ul-Haq. Finally, the most significant movement of 2007 was led by lawyers against President General Pervez Musharraf.

These movements highlight Pakistan's strong tradition of anti-dictatorial resistance. While Pakistan began its journey in 1947 with a British-style parliamentary democracy and political system, it has been ruled by dictatorships for more than 30 years (Kamran, 2008). As a result, civil and

Volume 2, Issue 4, 2024

democratic institutions have failed to develop properly (Niaz, 2010). Authoritarian regimes have led to crises such as constitutional suspensions, the erosion of fundamental rights and liberties, the weakening of civil institutions, and institutional imbalances. Among the institutions most affected, the judiciary has been particularly vulnerable, having been exploited and undermined under authoritarian rule (Rizvi, 2003).

In contrast, lawyers have consistently struggled to uphold justice and have played a significant role in Pakistan's post-colonial social and political life (Abbas, 2014). Pakistan has experienced four martial laws (1958, 1969, 1977, and 1999) since independence, and bar associations have emerged as platforms for lawyers to resist and mobilize against military coups. Lawyers were particularly active during the MRD, challenging General Zia-ul-Haq's regime and participating in public protests despite the ban on political activities imposed by the military (Khan, 2005; Mushtaq, 2014). The activism and involvement of lawyers in Pakistan's politics must be understood within the context of their legal, constitutional, and political engagement in the country's post-colonial history.

Pakistan's case provides an opportunity to examine the lawyers' activism against anti-democratic forces and authoritarian regimes. It is also pertinent to mention that for the first time in Pakistan's history, the Supreme Court of Pakistan started public interest litigation during the Musharraf regime (Cheema, 2016). Consequently, when the regime attacked the judiciary by sacking its Chief Justice, the lawyers' fraternity became united to protect the judiciary's independence. However, in the postcolonial history of Pakistan, the lawyers' fraternity had an opportunity to take the lead in a movement referred to as the lawyers' movement. It was initiated in March 2007 by the lawyers' fraternity to resist the unconstitutional sacking of the Chief Justice of the Supreme Court, Iftikhar Muhammad Chaudhry. Initially, it was led by the lawyers' fraternity, but later other citizen groups, networks, organizations, and political parties also joined and collectively created a compelling rhetorical narrative for the movement. The lawyers' movement represented multiple goals such as judicial independence, rule of law, antidictatorship, and the restoration of civil supremacy. Although it was initially a small movement that

ISSN: (E) 3007-1917 (P) 3007-1909

narrowly focused on the professional issues of the legal community, it later transformed into a broad national social movement in Pakistan.

In this context, this research will use the Pakistani Lawyers' Movement as a test case. Thus, the current paper aims to examine the background and contextualize the factors that led to its emergence, as well as the different phases and dynamics of the movement. Additionally, it will highlight the role and struggle of the lawyers' fraternity and other participants in the movement for the independence of the judiciary in Pakistan.

Background of Lawyers Movement

Iftikhar Muhammad Chaudhry was appointed Chief Justice (C.J) of the Supreme Court of Pakistan in 2005, after having been appointed to the office in 2000 under the provisional constitutional order (PCO) of General Musharraf (Khan, 2010). The Chief Justice became well-known for using suomotto actions on matters of injustice or where he believed that authorities were involved in the misuse of power. He took action on cases of human rights violations and public importance where he provided justice and relief to the marginalized sections of society in Pakistan (Ghias, 2010). These suo motu actions gained him widespread popularity across the country, as his proactive measures to provide relief to the general public were warmly welcomed by the Pakistani people. However, his dynamic and assertive approach strained the relationship between the judiciary and the military, leading to political unrest in Pakistan. General Pervez Musharraf saw the Chief Justice as more than just a challenge-he considered him a major obstacle to his authority. The Chief Justice went beyond addressing social and public issues, also questioning the legality of Musharraf's dual roles as President and Army Chief (Khan, 2010). In response, Musharraf first suspended the Chief Justice in a move widely regarded as unconstitutional. He subsequently filed a reference against Chaudhry (Rizvi, 2009). The removal of Chief Justice Iftikhar Muhammad Chaudhry from his position on March 9, 2007, triggered a massive Lawyers' Movement in Pakistan.

Emergence of Lawyers' Movement

Following the unconstitutional removal of Chief Justice (C.J) Iftikhar Muhammad Chaudhry, lawyers

Volume 2, Issue 4, 2024

across Pakistan launched a mass protest movement, fully supported by the public, to demand his reinstatement. The lawyers' fraternity organized significant protests and sit-ins, which started as small and localized efforts but gained momentum over time. The Supreme Court Bar Association (SCBA) was at the forefront of this movement. In an attempt to suppress the protests, General Pervez Musharraf used state machinery to exert pressure on the lawyers (Abbas & Jasam, 2009). On March 12, 2007, clashes erupted between protesters and police in Lahore, during which the police violently attacked demonstrators, leaving many lawyers injured (Abbas & Jasam, 2009). In response, Aitzaz Ahsan, President of the SCBA, declared a "Black Flag Week" on March 9, 2007 (Dayan, 2007). On that day, the Lahore High Court Bar Association (LHBA) and Lahore District Bar Association (LDBA) observed a black day and organized a massive rally (Dayan, 2007). Despite their peaceful intentions, Musharraf's regime used force to disperse the protests.

Amid the political turmoil, a shocking incident occurred shortly after the suspension of C.J Chaudhry. He was required to attend a court hearing, and a police vehicle was arranged to transport him. However, refusing to sit in the vehicle as he was not a criminal, the C.J opted to walk to the court. During this event, a police officer acted immorally by forcibly pulling the C.J's hair and pushing him into the vehicle. This act of humiliation was broadcast by the media, igniting nationwide outrage and anger (Asian Human Rights Commission, 2007). The incident led to a public uproar and galvanized the legal community into action. Lawyers across Pakistan, dressed in their professional attire, staged massive demonstrations and boycotted court proceedings in solidarity, demanding the C.J's reinstatement. Meanwhile, C.J Chaudhry's legal team filed a petition in the Supreme Court, challenging the unconstitutional actions taken by General Musharraf (Ahmed, 2010). The deposed C.J also became a prominent figure in seminars and rallies, where serving judges often joined him. These events united the legal community and served as platforms not only for demanding the C.J's reinstatement but also for condemning all unconstitutional and undemocratic measures taken by the Musharraf regime. The supremacy of the constitution, rule of law, and democracy became

ISSN: (E) 3007-1917 (P) 3007-1909

central themes in their speeches (Asian Human Rights Commission, 2008). The media, particularly electronic channels, played a crucial role in the movement. By broadcasting live coverage of speeches, rallies, and protests, the media mobilized public support (Ahmed, 2012). Whenever the C.J addressed a rally, it was widely aired, further motivating the legal community and the public (International Media Support, 2009).

During one of the C.J's visits to Karachi, the Muttahida Qaumi Movement (MQM)-a staunch ally of Musharraf-attempted to prevent his arrival (International Media Support, 2009). The MOM explicitly announced that it would not allow the CJ to visit Karachi, reflecting the escalating tensions between the regime and the protestors (International Media Support, 2009). This confrontation marked another critical moment in the growing movement for judicial independence and democratic restoration. The Karachi visit of Chief Justice (CJ) Iftikhar Muhammad Chaudhry proved to be tragically costly. On May 12, 2007, around fifty people were brutally killed during a rally in Karachi, a day that remains a painful chapter in the history of the lawyers' movement (International Bar Association, 2007). Despite the violence, General Pervez Musharraf refrained from condemning or taking punitive action against the perpetrators. Instead, he justified the role of the Muttahida Oaumi Movement (MOM), asserting on media platforms that the MQM had the right to act as it did since the pro-C.J rally was planned to pass through their strongholds, compelling them to "challenge" it (International Bar Association, 2007). The violent episode deepened divisions among Musharraf's allies. The Pakistan Muslim League Quaid (PML-Q) expressed sorrow over the MQM's actions and hinted at distancing itself from the alliance (International Bar 2007). Meanwhile, state forces, Association. including the army, rangers, and police, actively participated in suppressing protests, openly brandishing firearms and batons to intimidate and disperse demonstrators (Traub, 2008). In some instances, these forces used physical violence against protesters (Traub, 2008).

The media's coverage of these brutalities—broadcast live on news channels—brought global attention to the oppressive measures of the government. However, this led to retaliation against the press,

Volume 2, Issue 4, 2024

including the arson of a news channel's office. This incident claimed around fifty lives, injured hundreds, and caused extensive damage to surrounding properties (Traub, 2008). Instead of discouraging the movement, these events galvanized the protesters, further fueling their resolve to stand against military rule. In response to the May 12 tragedy, opposition political parties called for a general strike in Lahore on May 13 and 14, 2007. Major parties, including the Pakistan Peoples Party (PPP), Pakistan Muslim League-Nawaz (PML-N), Pakistan Tehreek-e-Insaf (PTI), Muttahida Majlis-e-Amal (MMA), Awami National Party (ANP), Pakhtunkhwa Milli Awami Party (PMAP), and various smaller regional groups, demanded accountability for the perpetrators (Traub, 2008).

The lawyers' community, opposition parties, and the general public united in their struggle against Musharraf's authoritarian rule. Their relentless protests, sacrifices, and collective efforts bore fruit in July 2007 when the Supreme Court issued a landmark ruling annulling Musharraf's presidential order and reinstating CJ Iftikhar Muhammad Chaudhry (Ahmed, 2008). This reinstatement marked a significant moment in Pakistan's historya dictator was forced to yield to public pressure and judicial authority. It represented a victory for the supremacy of law, the restoration of the constitution, and the independence of the judiciary. While the journey for democratic governance and constitutional supremacy was far from complete, this triumph provided a much-needed step forward.

Mobilization against Dictatorships

The initial phase of the lawyers' movement was primarily centered on reinstating Iftikhar Muhammad Chaudhry as Chief Justice (C.J) of the Supreme Court or nullifying the unconstitutional charges levied against him. While his reinstatement marked a short-term victory, tensions between C.J Chaudhry and General Pervez Musharraf persisted, primarily due to Musharraf's controversial dual roles as President and Army Chief-a critical point of contention. Despite constitutional amendments in 2002 aimed at legitimizing his dual offices, Musharraf's position faced challenges under constitutional provisions prohibiting active military officers from holding public office. Nevertheless, the Supreme Court, consistent with its historically pro-

ISSN: (E) 3007-1917 (P) 3007-1909

establishment stance, upheld these amendments (Ahmed, 2008).

As Musharraf's political legitimacy waned, constitutional challenges against him grew. With parliamentary elections scheduled for December 2007, Musharraf aimed to secure his hold on power through a re-election in July, planning to maintain control during the parliamentary process under the guise of democratic governance (Kalhan, 2013). Although the apex court allowed the elections, Musharraf narrowly won. However, his fragile victory faced immediate challenges. On November 3, 2007, just as the Supreme Court was set to hear a case against him, Musharraf declared a state of emergency. Citing the "war on terror" as a pretext, this emergency was, in effect, a martial law aimed at consolidating his power (Kalhan, 2013). Musharraf's actions escalated the crisis. He dismissed all Supreme Court and High Court judges, requiring them to take fresh oaths under the Provisional Constitutional Order (PCO). Over sixty judges, including C.J Chaudhry, refused to comply, rejecting his unconstitutional move. In a bid to suppress dissent, Musharraf banned television and radio broadcasts, detained lawyers, and arrested individuals from diverse walks of life who opposed his regime. The suspension of the constitution and the denial of fundamental rights deepened public outrage (Kalhan, 2013). Musharraf aimed to squeeze his opponents who were primarily barriers to his rule. These actions created panic throughout the country and mobilized the masses against him in an unprecedented and rare manner in the history of Pakistan. Musharraf failed to portray himself as a well-wisher and public figure, and his measures disregarded him among Pakistanis.

Post Emergency Period

Musharraf's decision to impose emergency in November 2007 brought the lawyers and other opponents of his regime together, resulting in the formation of a strong opposition movement against him. This coalescence of lawyers and various civil society groups and political parties resulted in the largest protest movement in the history of Pakistan. People from all walks of life, classes, and ideological backgrounds participated in the anti-Musharraf protests, which were met with police brutality and hundreds of arrests (Sahar, 2017). The amalgamation

Volume 2, Issue 4, 2024

of all political parties, regardless of their ideologies, was a unique turning point in the politics of Pakistan (Kalhan, 2013). This resistance against the regime lasted only 43 days, making it the shortest martial law period in the country's history (Shah, 2013).

The Musharraf regime responded with sweeping arrests and detentions, reflecting its growing desperation. Approximately 800 lawyers were jailed in Lahore, 150 in Karachi, and an estimated 25,000 protestors were arrested nationwide shortly after the emergency was declared (Asian Human Rights Commission, 2009). Notable figures, including Asma Jahangir, a prominent human rights lawyer and activist, were placed under house arrest, with Jahangir detained for around 90 days. These draconian measures, while temporarily reducing the number of active protestors, did not quell the movement's spirit. In November 2007, Ali Ahmad Kurd, the President of the Supreme Court Bar Association (SCBA), initiated the "Adilya Bachao Tehreek" (Save Judiciary Movement), reigniting the resolve of the legal fraternity and their supporters (Asian Human Rights Commission, 2009). The movement emphasized the restoration of judicial independence, which had become a rallying cry for broader democratic and constitutional reforms.

Musharraf Resigns as an Army Chief

Musharraf resigned as army chief on November 28th as a result of the lawyer movement and massive resistance from political parties and the public. The day before his resignation, he took the oath of office as president to prolong his presidency for another five-year term. His resignation as army chief was necessary for him to become a civilian leader according to the constitution and for the sake of legitimization. It was part of his deal with the chairperson of the Pakistan People's Party, Benazir Bhutto (Ahmed, 2010). The end of Benazir Bhutto's self-exile and the forced exile of Muhammad Nawaz Sharif was also part of the deal with him. Their end of exile was aimed to participate in the 2008 general election. The PPP and PML-N had also concluded a deal in 2006 in London. The deal was named the "Charter of Democracy." In that charter, Bhutto and Nawaz committed to rescinding amendments to the constitution by the military government that had enhanced executive power. Both parties accepted the ISSN: (E) 3007-1917 (P) 3007-1909

transparent way of appointing judges (Ahmed, 2010).

Bhutto's Assassination and Opposition Victory

The government of the military dictator was marked by the assassination of Benazir Bhutto on 27th December 2007 during a political rally in Rawalpindi, which jolted the nation. This event once again raised questions about terror attacks in Pakistan. Bhutto's assassination enraged the masses and led to the destruction of the nation's infrastructure. As a result, Bhutto's husband, Asif Ali Zardari, took charge of PPP. Following the assassination of Benazir Bhutto in 2007, there were discussions among lawyers about boycotting the upcoming 2008 elections due to concerns about their transparency and fairness. While some small parties such as APDM, Jamait-i-Islami (J.I.), PMAP, and PTI announced their boycott of the election, some segments of the legal community were in favor of taking part. Aitzaz Ahsan, a key figure in the PPP and the lawyer movement, who was under house arrest at the time, argued that grassroots campaigning could impact the election's outcome. This strategy of Aitzaz Ahsan was welcomed by political parties, who declared the lawyer cause as a major plank of their election campaign. Asif Ali Zardari held a series of meetings with the leadership of the lawyers' movement and the Chairperson of Human Rights Commission of Pakistan (HRCP) at his home on 28 January 2008. Zardari embraced the demand of the reinstatement of removed judges. Sharif observed "Youm-e-Ehad" (Day of Accord) on February 6, 2008, pledging to reinstate the judiciary and restore its independence upon entering parliament (Noorani, 2008). The 2008 general elections, held amid these promises, saw unprecedented public participation. Since PML-N was more serious about the aforementioned issues than its rival PPP, the 2008 polls brought PPP as a majority party in the national assembly. These elections were massively participated in by the Pakistani nation, despite some evidence of poll rigging and vote tampering.

Lawyers' Movement in Democratic Era

The lawyers continued their struggle with the same vigor even after the democratic government came to power through the 2008 general elections. With the Pakistan People's Party (PPP) in power, lawyers and

Volume 2, Issue 4, 2024

judges achieved significant successes through their persistent efforts. First, the Murree-Bhurban Declaration, and second, the Islamabad Declaration, were instrumental in pushing the government to promise the restoration of all the deposed judges soon after November 2007. This would be done through a simple parliamentary resolution, followed by an executive order. In essence, the reinstatement of the judges and the annulment of the unconstitutional measures taken on November 3, 2007, became a central political goal for the PML-N and PPP agreement. Additionally, those who had been detained or jailed were set free. The amendments introduced by the military dictator were declared unconstitutional, and parliamentarians rejected their legitimacy (Jillani, 2008). At this point, military rule was nearing its end, with Pervez Musharraf remaining the last politically crippled symbol of the regime. However, democracy was still incomplete as long as Musharraf remained in office. His removal was deemed essential for the full realization of democracy. To achieve this, the lawyers led a long march after February 18, 2008, aimed at ousting Musharraf, the symbol of the November 3 emergency. The march was highly successful, with around 500,000 participants in Karachi (International Federation for Human Rights, 2009). The march later moved towards Islamabad, with various sectors of society, including lawyers, judges, and civilians, actively participating. Initially, the movement focused on the restoration of the deposed judges, but its nature shifted to also demand the ousting of Musharraf and the restoration of the rule of law and democracy. About 50,000 people from across the country reached Islamabad to participate in the protest. In June 2008, the lawyers' fraternity organized another long march to pressurize the PPP government to remove Musharraf from the presidency and reverse all of his unconstitutional actions. The march began on June 9, 2008, and participants from various professions-families of missing persons, retired army officers, religious figures, scholars, journalists, and others-joined the protest. All political parties, whether large or small, regional or federal, supported the march towards Islamabad. By July 14, about 50,000 protestors had gathered at Parade Avenue in Islamabad, with lawyers being the most prominent group among the

ISSN: (E) 3007-1917 (P) 3007-1909

civil society participants (International Federation for Human Rights, 2009).

The government prepared for a crackdown on the protestors, deploying 6,000 paramilitary troops and policemen to control the marchers. However, a setback occurred when Aitzaz Ahsan, the president of the Supreme Court Bar Association, announced that there would be no sit-in in Islamabad. After extensive deliberations within the PPP, the decision was made to initiate impeachment proceedings against Musharraf on August 7, 2008 (Shah, 2008). At this point, Musharraf realized his position was untenable, as he would not receive significant support from either the Pakistani establishment or the United States. Due to the pressure of impeachment, Musharraf announced his resignation from the presidency on August 18, 2008. Following his resignation, Muhammad Mian Soomro was appointed acting president until a new candidate could be elected (Shah, 2008). After Musharraf's resignation on August 28, 2008, the lawyers' movement entered a new phase. The main focus shifted back to the restoration of deposed judges and the reversal of the actions taken on November 3, 2007. The major demand of the lawyers, which still remained, was that the government, rather than the judiciary or other groups, had the responsibility for reinstating the deposed judges. The lawyers' struggle continued with unwavering determination and commitment. However, it was not a militant or revolutionary movement aimed at resolving their issues independently. Instead, the lawyers relied on peaceful protests, demonstrations, and public pressure to compel the incumbent government to address their demands. Since the government was now a democratically elected one, it was deemed a better alternative to the previous dictatorship. The movement now focused on engaging with the democratic system to persuade the PPP to meet the lawyers' legitimate demands through constitutional means. Negotiation with the PPP was seen as the best approach to achieve their goals, and everything was done within the framework of law and democracy. With this approach, the movement remained hopeful that the issue would ultimately be resolved.

Volume 2, Issue 4, 2024

Resistance to Pakistan People's Party Measures The PPP showed reluctance towards the lawyers' demands, which was difficult to understand. The PML-N held serious discussions with the PPP to resolve the issue promptly, but the PPP rejected the PML-N's proposal to set a fixed date for resolving the matter (International Bar Association, 2009). The ruling party was more focused on the National Reconciliation Ordinance (NRO), introduced by Musharraf in October 2007. The NRO granted amnesty to political leaders and government officials involved in corruption and other cases. It was a deal between Benazir Bhutto and Pervez Musharraf aimed at fostering a more cooperative political environment. As a result, many cases of corruption were dismissed against the accused. However, the Pakistan Tehreek-e-Insaf (PTI) strongly criticized the NRO, viewing it as a betrayal of the judiciary (International Bar Association, 2009). The PPP's confusing response led the PML-N to withdraw from the cabinet on May 13, 2008. The PML-N leader Mian Muhammad Nawaz Sharif accused Asif Ali Zardari of failing to adhere to the Charter of Democracy, which had been agreed upon with his late wife, Benazir Bhutto. On September 9, 2008, Zardari became the President of Pakistan, but his handling of the deposed judges' issue continued to disappoint. He maintained his position of delaying any decision on the matter (International Bar Association, 2009). Zardari convinced 57 out of 63 high court judges to take a fresh oath and resume their offices. However, Chief Justice Iftikhar rejected the offer, stating that the judges had been illegally removed and their offices had been taken by force. Zardari, who had previously opposed authoritarian policies, now seemed to be following in Musharraf's footsteps. In response to Zardari's stance, the lawyers' fraternity decided to initiate another Long March in 2009. This march was intended to evolve into a Dharna (sit-in) until the judicial crisis was resolved.

Towards Success: Decisive Long March

The Long March of 2009 was a decisive and landmark event in Pakistan's political history. Notably, there was no violence or aggressive actions throughout the march, which symbolized a triumph for the participants. The Long March created divisions among government stakeholders, and key PPP leaders, including Prime Minister Yousaf Raza ISSN: (E) 3007-1917 (P) 3007-1909

Gillani, other PPP parliamentarians, and Army Chief General Ashfaq Pervez Kivani. met with President Asif Ali Zardari to break the deadlock (Asian Human Rights Commission, 2009). The PPP was under immense pressure from both internal and external forces. On March 9, Sherry Rehman, the Minister of Information, resigned when Zardari attempted to ban Geo Television's broadcasting (Islam & Rizvi, 2013). Along with Rehman, other prominent PPP leaders, such as Mian Raza Rabbani, a Federal Minister, also submitted their resignations. This marked a disappointing moment for those who had placed their hopes in the PPP, expecting better governance. Zardari was increasingly seen as following in the footsteps of Pervez Musharraf, manipulating the constitution just as Musharraf had done.

On March 12, the Long March began its journey from Karachi to Islamabad. The government imposed a ban on assemblies and gatherings, allowing no more than four people to gather at a time (Daily Times, 2009). Despite this, lawyers from the Karachi Bar Association traveled to Islamabad in groups, using local transport. The march was expected to attract a massive turnout, with around 50,000 participants from the Frontier Province, 20,000 from Lahore (accompanied by Nawaz Sharif), 10,000 or more from Sindh and Balochistan, and 20-25,000 in Islamabad and Rawalpindi, bringing the total estimate to 100,000. To exert pressure on the march leaders and their supporters, Nawaz Sharif, the opposition leader, was placed under house arrest. The police's brutal actions against the protestors were broadcast live on television. The authorities used sticks and tear gas to disperse the marchers, and their violent treatment of women, children, and elderly participants was widely covered in the media, which further ignited public outrage (Daily Times, 2009). The police's aggressive actions only fueled the resolve of the marchers, who continued their protest with even greater determination. The scenes of brutality reminded many of the oppressive tactics used during Musharraf's regime. Shortly after the march began, Army Chief Pervez Kiyani and Prime Minister Gillani met with President Zardari to urge him to open negotiations with the protestors (Waseem, 2010). Diplomatic pressure from the United States and United Kingdom also played a role. U.S.

Volume 2, Issue 4, 2024

diplomat Anne Patterson and Special Representative Richard Holbrooke facilitated talks between the PPP and PML-N leaders, while Secretary Hillary Clinton and British Foreign Secretary David Miliband pressed Zardari to reach a compromise with Sharif to prevent further escalation (Waseem, 2010). The lawyers' movement triumphed before the march even reached Islamabad. On June 15, Nawaz Sharif broke out of house arrest to join the marchers, in an extraordinary display of street power. The following day, Prime Minister Gillani made a stunning announcement: the deposed judges, including Chief Justice Chaudhry, would be reinstated. He declared, "I order all provincial governments to release political workers, lawyers, and all those detained during the long march. I wish to convey my good wishes to the nation." This marked the culmination of the long march, and it led to the restoration of the Chief in Pakistan. The march witnessed a broad coalition of civil society groups and political parties uniting under the common goal of restoring the rule of law and democratic principles in the country. It reflected a collective commitment to the ideals of an independent judiciary, parliamentary sovereignty, a free press, and transparent elections. This movement represented a significant departure from previous political transitions, emphasizing democratic norms and institutional integrity.

Conclusion

The lawyers' movement for the independence of the judiciary not only bolstered the power of the judiciary but also created an opportunity for the restoration of a democratic system in Pakistan. The struggle of the lawyers' movement transcended the narrow self-interests of the legal community, which included protecting the professional interests of lawyers and their associations. Later on, political parties collaborated with the lawyers' fraternity to further their own objectives. However, the scope of the movement's goals appealed to all sections of society, thereby accelerating the momentum of the movement beyond the interests of different groups. In summary, the legal community, comprising judges and lawyers, should engage with the general public to restore the dignity of the courts, rebuild civil supremacy through the rule of law, and motivate people to take

ISSN: (E) 3007-1917 (P) 3007-1909

collective action against unconstitutional actions of an authoritarian government. By convincing the general public that judicial power and civil supremacy are achievable through a successful movement, the lawyers' movement can leave a lasting impact. The unique aspect of the lawyers' movement is not its effect on the composition and structure of the judiciary and executive branches of the state, but the creation of a collective identity among lawyers, judges, political workers, politicians, urban professionals, media personnel. students, business community, and most importantly, ordinary Pakistani citizens. Finally, the lawyers' movement has raised political awareness among all sections of society and socialized the meaning of law. constitutionalism. rule of and independent civil institutions to the public, initiating a new civic debate in the country.

REFERENCE

- Abbas, A., & Jasam, S. (2009). A ray of hope: The case of lawyers' movement in Pakistan. Pakistan: Heinrich-Boll-Stiftung.
- Abbas, S. (2014). At freedom's limit: Islam and the postcolonial predicament. New York: Fordham University Press.
- Ahmed, M. M. (2008). *The Pakistan lawyer's movement: An unfinished agenda*. Karachi: Pakistan Law House.
- Ahmed, Z. S. (2010). Fighting for the rule of law: Civil resistance and the Lawyers' Movement in Pakistan. *Democratization*, *17*(3), 492–513.
- Ahmed, Z. S. (2012). The role of the Pakistani mass media in the lawyers' resistance against the Musharraf dictatorship, 2007-2009. *Pakistaniat: A Journal of Pakistan Studies*, 4(3), 61-77.
- Asian Human Rights Commission. (2007). Pakistan: The affidavit of the suspended Chief Justice, Iftikhar M. Chaudhry. Hong Kong: Asian Human Rights Commission. Retrieved from http://www.humanrights.asia/news/forwarded -news/FS-023-2007/ (accessed March 3, 2020).

Volume 2, Issue 4, 2024

- Asian Human Rights Commission. (2008). Pakistan 2008: Defeat of a dictator and the movement for judicial independence. Hong Kong: Asian Human Rights Commission. Retrieved from <u>https://alrc.asia/article2/2008/12/pakistan-</u> 2008-defeat-of-a-dictator-and-the-movementfor-judicial-independence (accessed March 3, 2020).
- Asian Human Rights Commission. (2009). Pakistan: Lawyer's Movement is the "Vanguard of Democracy". 45.
- Asian Human Rights Commission. (2009). Pakistan: The long march of the lawyers restores the Chief Justice, 5.
- Cheema, M. H. (2016). The Chaudhry Court: Deconstructing the judicialization of politics in Pakistan. *Washington International Law Journal*, 25, 447.
- Dayan, A. (2007). *Destroying legality: Pakistan's* crackdown on lawyers and judges. New York:
- Ghias, S. A. (2010). Miscarriages of Chief Justice: Judicial power and the legal complex in Pakistan under Musharraf. Law and Social Inquiry, Journal of the American Bar Foundation, 35(4), 985-1022.
- International Bar Association. (2007). The struggle to maintain an independent judiciary: A report on the attempt to remove the Chief Justice of Pakistan. London: WIT IT.
- International Bar Association. (2009). A long march to justice: A report on judicial independence and integrity in Pakistan. London: Human Rights Institute. Retrieved from <u>https://pages.shanti.virginia.edu/uspakistan/ba</u> <u>ckground-information-on-the</u> <u>web/files/2010/02/PakistanReport_Sept094.p</u> df (accessed December 13, 2019).
- International Federation for Human Rights. (2009). *A long march for democracy and the rule of law*, 2007-2008. France. Retrieved from <u>https://www.refworld.org/docid/496b56ff2.ht</u> <u>ml</u> (accessed December 11, 2019).
- International Federation for Human Rights. (2009). A long march for democracy and the rule of law, 2007-2008, 1.

ISSN: (E) 3007-1917 (P) 3007-1909

- International Media Support. (2009). Media in Pakistan: Between the radicalization and democratization is an unfolding conflict. *International Media Support*. Retrieved from <u>https://www</u>. ims-media-pakistanradicalisation-2009%20(1).pdf (accessed, March 9, 2020).
- Islam, F. F., & Rizvi, S. H. (2013). The lawyers movement for judicial independence in Pakistan: A study of Musharraf regime. *Asian Journal of Social Sciences & Humanities*, 2(2), 77.
- Jillani, A. (2008). Vanguard of democracy. *Newsline*.
- Kalhan, A. (2013). Gray zone constitutionalism and the dilemma of judicial independence in Pakistan. *Vanderbilt Journal of Transnational Law*, 46(1), 54.
- Kamran, T. (2008). *Democracy and governance in Pakistan*. Lahore: South Asia Partnership-Pakistan.
- Khan, A. F. (2010). The Pakistani lawyers' movement and the popular currency of judicial
- power. Pakistan Harvard Law Review, 123(3), 17-18.
- Khan, H. (2010). *Constitutional and political history* of *Pakistan*. Karachi: Oxford University Press.
- Khan, M. A. (2005). *We have learnt nothing from history*. Karachi, Pakistan: Oxford University Press
- Mushtaq, A. Q. (2014). *Political alliances & movements in Pakistan*. Faisalabad: Mashaal Publishers.
- Niaz, I. (2010). *The culture of power and governance* of Pakistan, 1947-2008. Oxford University Press.
- Noorani, M. A. (2008, January 29). Zardari gives his word to lawyers on judges return. *The News*.
- Daily Times. (2009, March 13). Police try to thwart lawyers' long march.
- Rizvi, A. (2003). The political system of Pakistan. Hamdard Institute of Education and Social Sciences, Hamdard University, Karachi, 19.
- Rizvi, M. (2009). *Musharraf: The years in power*. New Delhi: Harper Collins Publisher.
- Sahar, S. (2017). Civil society and the Lawyers' Movement of Pakistan. *Law & Social Inquiry*, 43(3), 889-914.

Volume 2, Issue 4, 2024

- Shah, A. (2013). Constraining consolidation: Military politics and democracy in Pakistan (2007–2013). *Democratization*, 21(6), 1007-1033.
- Shah, S. (2008, August 18). Pervez Musharraf resigns as President of Pakistan. *The Guardian*. Retrieved from <u>https://www.theguardian.com/world/2008/aug</u> /18/pakistan (accessed March 22, 2020).
- Traub, J. (2008, June 1). The lawyers' crusade. *New York Times Magazine*. Retrieved from <u>https://www.nytimes.com/2008/06/01/magazi</u>

ISSN: (E) 3007-1917 (P) 3007-1909

<u>ne/01PAKISTAN-t.html</u> (accessed March 13, 2020).

- Traub, J. (2009, April 5). Can Pakistan be governed? *The New York Times*. Retrieved from <u>https://www.nytimes.com/2009/04/05/magazi</u> <u>ne/05zardari-t.html</u> (accessed February 21, 2020).
- Waseem, M. (2010). The bar and the bench: The lawyers' movement in Pakistan, 2007–2008.
 Paper presented at the Twentieth European Conference on Modern South Asian Studies, Manchester, England, July 8-11, 2010.