



The Incredible Extraordinary Disqualification of Pakistani Prime Minister Imran Khan

Description

After withholding the decision on the Toshakhana case in reserve for a month, the most popular leader Imran Khan (IK) was disqualified by the five-member ECP (Election Commission Pakistan) Bench at 2 pm on 21 Oct, for not sharing details of Toshakhana gifts and proceeds from their sale. He was charged with making a false statement and committing the offense of corrupt practices punishable under Section 174 of the Election Act. His National assembly (NA) seat was declared vacant and the matter was referred to the trial court for awarding punishment as deemed fit.

From the time of the disqualification of Imran Khan's verdict by the ECP Bench, the emotions are high and the tongues are wagging. One side is rejoicing, and the other side is mourning and bursting with anger. Both sides are exchanging barbs.

This sort of atmosphere was seen in July 2017, when the SC Bench had disqualified NS for life and he was deprived of his seats of PM and party chairmanship. In great anguish, NS had raised the slogan of 'Mujhey Kyun Nikala'. History has repeated itself and the wheel of fortune has completed its full circle since 2018 elections in July 2018. This time the axe fell on IK.



Imran Ahmed Khan Niazi HI(M) PP (Pashto, Punjabi, Urdu: ????? ???? ??? ?????; born 5 October 1952) is a Pakistani politician and former cricketer who served as the 22nd prime minister of Pakistan from August 2018 until April 2022, when he was ousted through a no-confidence motion. He is the founder and chairman of the Pakistan Tehreek-e-Insaf (PTI), one of the largest political parties in the country.

The PTI and followers of IK are in an ugly mood and would have continued with their protests in all the major cities, had IK not restrained them. He stated in a radio message that he will fight the battle in the courts to nullify the unjust and illegal verdict of the EC. Another reason for the restraining call could be the poor turnout of the protesters who were easily dispersed by the police

The leaders of the opposite camps are giving vitriolic statements against each other. Shehbaz Gill said that the Chief Election Commissioner (CEC) is the personal servant of NS. Pervez Elahi termed the verdict a cruel joke. Fawad Ch ridiculed the CEC.

The PDM leaders are saying that the so-called Mr. Clean and the idol of honesty calling all his political rivals thieves and dacoits has finally been exposed and nabbed as the biggest thief and he is no longer Sadiq and Ameen.

The legal wizards of each side are giving different interpretations of the verdict. PTI legal luminaries are strong of the view that the ECP is not a court and has no power to give a disqualification verdict, and that it will be challenged in the courts. They argue that no direct disqualification exists in ECP laws.

In their view, Article 137 (4) clearly lays down the time limit of 120 days which was ignored by ECP.

They say that Article 63(1) (P) cannot operate on its own, or can be solely used for disqualification.

They are saying that IK couldn't be disqualified before the allegation of corrupt practices had been proved beyond a reasonable doubt, followed by the conviction of IK in a Session Court.

A petition was filed on Oct 24 in the Isbd High Court to set aside the ECP verdict. In anticipation of the verdict, IK had already moved a petition in the Supreme Court to remove the CEC Raja Sikandar, whom he had selected, alleging that he was biased.

The lawyers and judges affiliated with the govt are defending the verdict, and are strong of the view that the ECP is legally privileged and empowered to deliver a verdict against an elected member found involved in corrupt or immoral practices. The ECP is saying that it is competent to disqualify members of the parliament for misdeclaration or concealing of assets.

The other point under debate is the duration of the disqualification, some saying it's for five years, and others insisting that it's only for the duration of the length of the current assembly after which IK's membership of NA will be automatically restored and he will be able to take part in 2023 elections.

While this legal battle is going on and will continue for some time, the PTI in the meanwhile have been making efforts secretly to convince the military establishment to force the sitting coalition govt of the PDM to abdicate and to hold early elections. The latter expressed its regrets that it can help in arranging a meeting with the govt but will not indulge in politics since it is sticking to its declared policy of neutrality and apolitical stance.

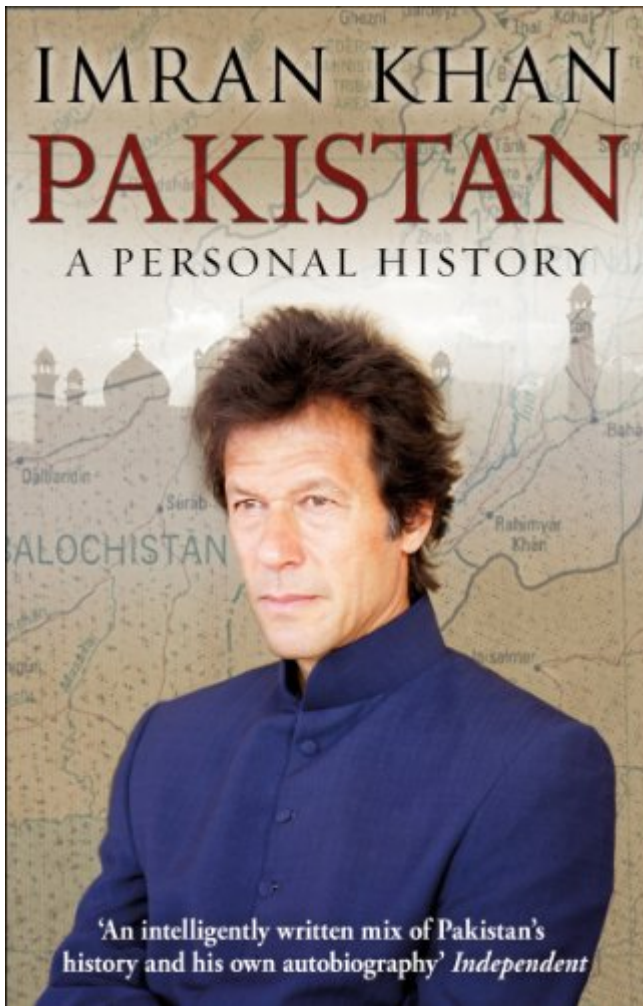


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The PTI has been playing a double game by hyping the US conspiracy theory on one hand, and on the other hand, secretly mending fences with the US.

IK and his party leaders arrogantly rejected the conciliatory moves made by the govt and are stubbornly sticking to their stance of not holding a dialogue with a corrupt imported regime.

Another double-dealing of the PTI is regarding its outward appearance of anti-army and anti-Gen Bajwa stance, but some of its members secretly maintained contact with the establishment to win its affection. Some of the PDM leaders had also done the same when out of power.



The whole reliance of the PTI has been on IK's popularity, the support of the people, and street power. IK was convinced that sooner than later the weak government suffering from so many frailties would bow down under the pressure of the two-directional long march planned in the last week of Oct and it would throw in the towel.

Surprisingly, the government withstood the pressure and refused to be blackmailed. It is focusing on providing relief to the flood affected and taking the economy out of the woods. It is also insisting on electoral reforms, but the PTI is in a great hurry to hold early elections and leave aside all other issues.

Finding that the government is in no mood to hold early elections, exasperated IK has again given a hint of giving a call for the long march on coming Thursday or Friday.

The hard-pressed govt is breathing a sigh of relief that its biggest threat has been reined in, and prospects of the long march petered out. It is feeling good that it now has a handle in its hand to counter the corruption mantra of the PTI. Another relief is the identification and taming of the website network of the PTI and foreign tentacles engaged in smear campaigns by FIA and PEMRA.

IK realized that his call for a long march to achieve freedom was full of risks, and it could meet a similar fate as his 25 May long march which was a total fiasco. He is mindful of the fact that all the state powers are united in confronting the marchers from Lahore and Peshawar, and the capital city is being

jealously guarded by law enforcement agencies.

The other troubling factor for the PTI is the series of FIA and police cases registered against all the senior leadership of the PTI. IK is faced with 20 cases and some like foreign funding cases are lethal.



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The other scenario is that the PTI might face another shock and get disbanded in foreign funding case, the verdict of which is lying in the pending tray of the ECP and can be announced anytime.

There are reports that a political breakthrough was achieved on 20 Oct. A meeting was held between the members of the govt and the PTI to arrive at a political settlement. The points on which talks were held were as under:

1. No reversal of NRO and NAB laws.
2. Cypher issue will be closed.
3. The appointment of the COAS will not be politicized, and Gen Bajwa will retire on the due date.
4. Cases of PTI leaders will be withdrawn as in the case of others and given a clean chit.
5. NS will be allowed to return and take part in elections after his clearance from the court.
6. PTI will return to the NA and sign a charter of the economy and will agree to carry out reforms and improve the economy.
7. Either the incumbent govt will be allowed to complete its term till Aug 2023, or else for the sake of face-saving, elections will be held in March/April 2023 but without the use of EVMs.
8. Once peace is restored between the warring political parties, it would be easier to hold fair and free elections under the auspices of the judiciary and the army.

The 21 Oct verdict and clearance by the FATF on the same day have given a shot in the arm to the wobbly govt, which will now be in a position to negotiate a final political settlement from a position of strength. In the wake of friendly and cooperative signals from the big powers and the financial institutions, and Saudi Arabia's willingness to set up \$ 12 billion worth oil refinery and petrochemical complex at Gwadar, Ishaq Dar is in a better position to improve the dwindling economy.

In case the IHC overturns the decision of the ECP, it would once again rejuvenate the PTI and it might restart with its pressure tactics to achieve its political goals through politics of agitation and violence.

Riding on a high popularity wave, IK is unlikely to lose the support of his diehards who are convinced that all the state organs and the 13 political parties have ganged up against him to finish his political career. The ECP verdict is being viewed with similar disdain. They are fully supportive of the cipher narrative even though it has now been revealed through the leakage of audio tapes that IK was playing with the narrative in order to draw political mileage. His populist appeal is not likely to diminish.

The coming days would bring out whether the ECP verdict would pass the litmus test and whether IK would hold on to the seat of his party chairmanship. In case he has to vacate it, without him the PTI will be like a headless chicken.

No other leader in the PTI has the charisma and crowd-pulling ability that IK does. That is why all the leaders of the PTI have unanimously ruled out the possibility of a minus IK formula. Shah Mahmood Qureshi could be the only one aspiring to replace IK.

Now that the direction of the wind has started to blow in favor of the PML N, NS must be getting impatient to return to Pakistan. But he would be wishing for a grand reception and that is possible only

at Lahore and nowhere else. The big hitch is that Punjab is ruled by PML Q and PTI govt.

The whole focus of the incumbent govt and PML N would be on getting rid of Pervez Elahi. A game plan could be in the cooking pot to move a vote of no confidence against the CM. Likewise, KP must also be a target, where the only way out could be the imposition of a governor rule.

Notwithstanding the direction of the wind, the months of November and December would be full of political activities, and the pendulum of fortune would keep swinging either way. 29 Nov would see Gen Qamar Javed Bajwa doffing off his uniform and handing over the army's baton to the new chief without any hiccup.

by Asif Haroon Raja

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