

Daily Times - Site Edition

Editorial: 'Apocalypse' averted

A catastrophe waiting to happen has mercifully been averted by the belated sagaciousness of the government. Prime Minister Gilani met Chief Justice Iftikhar Chaudhry at the Prime Minister's House yesterday. The clash of the titans has come to an end, at least for the time being. "[The political tension] is completely over," said Prime Minister Gilani after the meeting with the chief justice. He said that "it is in the best interest of Pakistan...and all the political forces in the country and that would strengthen and stabilise the democratic dispensation." The prime minister announced that Justice Khwaja Sharif will continue as Chief Justice of the LHC while two judges of the LHC — Justice Mian Saqib Nisar and Justice Asif Saeed Khosa — will be elevated as judges of the Supreme Court. Justice (retd) Khalil-ur-Rehman Ramday, who retired as a judge of the Supreme Court last month, would also be appointed as ad hoc judge of the Supreme Court for a period of one year.

As has been the wont with the federal government, it appears that the relevant homework in the recent imbroglio again left a lot to be desired. The apparent lapse of communication with the senior most judge of the LHC, Justice Saqib Nisar, was too glaring a lacuna to be missed by those baying for the blood of the executive. Thus the government had to beat a retreat in a by now established pattern for the last two years. It was all the more predictable in the context of not so covert vibes being relayed by those who have, of late, learnt to orchestrate the affairs of the state from behind the thin guise of institutional impartiality.

The unannounced arrival of the prime minister at the chief justice's dinner on Tuesday definitely helped defuse the electric situation. However, the question remains why the same path of consultation and amicability could not be tried in the first place before the presidential notification was issued on Saturday evening. That could have saved the public loss of face for a government that is in dire need of ballasting its profile at home as well as abroad. Maybe it is time that the consultative coterie benefiting the highest echelons of the incumbent government in Islamabad is changed and a few voices with more sanity and less ambition are introduced into the consultative process. Prime Minister Gilani deserves tribute that he yet again exhibited his limitless acumen in serving the government and democracy at the cost of personal ego. Having said this, the very matrix of the crisis, just swerved by, shows the brittle structure of our political paradigm and an all too apparent lack of seriousness required to handle the affairs of the state. Seething tension between two state institutions could have spilled over into something far worse; fortunately it was pulled back from the brink.

What needs to be done now is to settle the issue of 'consultation' once and for all by the apex court. This will benefit both the government and the judiciary in the long run. To say that the advice of the chief justice is 'binding' would be stretching it too far, which is why the apex court needs to define the process of 'consultation' so as to avoid such problems in the future. Given that we have our plate full of a plethora of problems already, Pakistan can ill-afford a tussle between the judiciary and the executive. The two state institutions must work in full harmony, as they are two wheels of the same cart.