

## Pakistan moves to curb presidential, Supreme Court powers

The Pakistani government is preparing to curb the powers of the president and the Supreme Court chief justice by moving a constitutional amendment to remove ambiguities in the statute.

Ironically, the Pakistan Peoples Party (PPP) that leads the ruling coalition may have to rely on the support of a party backed by President Pervez Musharraf for the amendment to Article VI to be passed by parliament.

This is because the PPP cannot rely on the support of alliance partner Pakistan Muslim League-Nawaz (PML-N) for the measure. The PML-N last week pulled out its nine ministers from the government after the PPP backtracked on its promise to reinstate the Supreme Court and High Court judges Musharraf sacked after imposing an emergency last November.

A key element of the 18th constitutional amendment that will be introduced during the budget session of parliament next month relates to an ambiguity surrounding Article VI of the constitution under which the president can be tried for high treason if he subverts the statute.

However, the article also permits the president to approach the Supreme Court if he is accused of the offence. The amendment will remove this clause.

'Article VI has not ever been invoked against military dictators who have been subverting the constitution because the usurpers would get a court verdict followed by a parliamentary approval indemnifying all their unconstitutional acts,' The News reported Tuesday.

'To plug that loophole, Article VI will not only guarantee the proper implementation of this constitutional provision against a military dictator but also ensure that judges are tried under this article too if they give a judicial seal of approval to any unconstitutional action,' it added.

A meeting on the proposed amendment to Article VI of the constitution was held here Monday evening between PPP co-chair Asif Zardari and Law Minister Farooq H. Naek.

The amendment, prepared by Naek and Hakim Ali Khan, additional secretary in the law ministry, 'is an all encompassing document introducing far-reaching changes in the constitution that would ensure a parliamentary democracy as envisaged in the original 1973 document', The News said.

However, the amendment would clear parliament 'only if (President Pervez) Musharraf was fully on board'.

Thus, the 'positive collective vote' of the Musharraf-backed Pakistan Muslim League-Quaid (PML-Q) would hinge on a nod from the president 'who seems inclined to isolate the PML-N and create further divisions in the already cracked ruling coalition'.

'The PPP would not be short of the dream figure of a two-thirds majority in both the houses of parliament if the PML-Q stands with it in approving the constitutional package,' the newspaper added.

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