**Connecting the dots**

BY A B B A S N A S I R 2021-02-14

POLITICAL punditry is becoming increasingly hazardous as it is virtually impossible to keep track of developments, let alone the undercurrents and the players driving them. The best that is possible is to connect the dots and see what emerges.

A number of this weel(`s main news items were generated by the superior courts, the foremost being the hearings on the PTI presidential reference, after the government`s attempted constitutional amendment bill, aimed at doing away with the secret ballot for the Senate elections, died on the house floor.

After its failure to even table the amendment, amidst opposition protest, in parliament earlier in the month, another route was found by the government as the Assembly was prorogued and the president issued an ordinance, bypassing Article 226 which calls for secret balloting.

But this ordinance was made contingent on the `advice` of the Supreme Court where a presidential reference seeking the honourable court`s opinion was filed in December last year on whether a change to the voting method ie secret or open needed a constitutional amendment at all.

Former attorney general Irfan Qadir has said that the presidential reference on the mode of voting for the Senate elections would not ordinarily have lasted `five minutes` in the Supreme Court as it was an open-and-shut case of a matter needing a constitutional amendment.

A number of senior lawyers and bar associations have echoed the argument. The Pakistan Bar Council decried the PTI move and said that it was based on `malicious intent ... We condemn the [government`s movel to hold Senate elections via open ballot`, the PBC said in a statement.

The opinion of these eminent lawyers may carry weight but the Supreme Court bench hearing the matter is also supposed to comprise some of the most seasoned legal minds in the country. They must believe there is cause to deliberate on the issue for so long.

The arguments in the court, where the Election Commission of Pakistan`s opinion that the Constitution mandated secret balloting was disputed by an array of PTI stars such as Speaker AsadQaiser and Attorney General Khalid Jawed Khan, generated excitement and debate. But not half as much as the leaked videos that purportedly showed members of the KP Assembly `selling their votes` for piles of banknotes during the 2018 Senate elections.

Surreptitiously shot, the videos are yet to be authenticated in terms of being what they are said to be demonstrating.

These videos coincided with the judiciary`s consideration of the presidential reference and led many observers to ask the obvious question whether the leaks were designed to create a favourable environment for a show of hands. One analyst believedthey fit a pattern.

`Do you remember what happened when the NAB chairman`s interview (later denied) was published in which he said if he initiated cases against the PTI politicians the government would fall? Well, his famous video was leaked. What followed is public knowledge,` he added, saying such leaks contributed to creating a positive outcome for the party in power and its backers.

Of course, we have no means of knowing if such allegations are true. Such Machiavellian tactics, even where used, rarely leave fingerprints behind to be uncovered later. This brings the discussion to the next bit of news generated by a superior court.

Former DG ISI Lt-Gen Asad Durrani`s petition was being heard in the Islamabad High Court against the placing of his name on the Exit Control List where he was listed after some of his books ostensibly embarrassed his former institution and he faced the bizarre charge of serving the cause of RAW, the Indian intelligence service.

On Friday, Justice Mohsin Akhtar Kayani of thesingle bench, recused himself from further hearing of the petition. The honourable judge did not provide a reason for his decision, saying he had taken it due to `reasons I don`t want to share`.

`[I] 1(now the entire background of the case [and J was in the process of writing the judgement as well, said the judge. `This is unfortunate but there are some reasons which I don`t want to share [publicly], he said before sending the case back to the IHC chief justice for reassignment.

And the final court news that was in the headlines was the Supreme Court bench`s ruling, written by the chief justice, suggesting that Justice Qazi Faez Isa should not hear any case relating to the prime minister as he was ostensibly a `complainant` against the country`s chief executive.

Justice Isa`s turbulent journey as a supreme Court judge is well-documented. In this latest case, he took notice of news that quoted the prime minister as announcing Rs500m development budget for his legislators, ahead of the Senate elections, and referred the issue to the chief justice who formed a bench. And it was that bench`s ruling that suggested what would be improper for him.

These developments in themselves present quite a few dots. One may need to connect these in order to ascertain what they represent. Hopefully, one day we may be able to say more.

Tailpiece: By prevailing over the objections of cabinet members and to allow the private sector to freely import the Covid-19 vaccine without a price ceiling, the prime minister made a shrewd move.

Against the backdrop of waning popularity due to poor government performance, he must have bounced back to being a darling of the af fluent elite, including influential TV anchors.

The possibility of fast-track access to the vaccine at prices only they can pay, and being able to jump the snaking public queue, they will sing laurels of the leader who delivered for them. Those that believe healthcare is a state responsibility don`t count anyway. The writer is a former editor of Dawn.

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