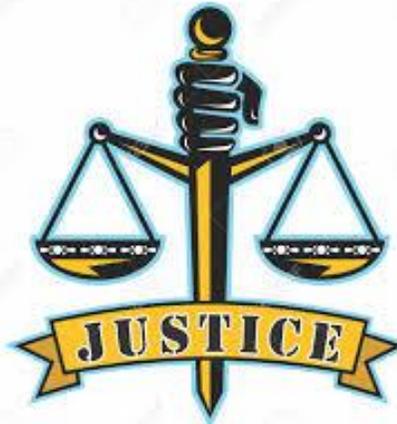




TARIQ MUSHTAQ

IMPEACH THE JUDGES



Obstruction of justice is a crime. The decision is clear.

The JIT report of Nawaz's corruption was released, it is a damning document for him. Not only does it detail the illegal property of Sharifs, it also detailed the off shore companies through which the transactions were made. ***What happened at the Supreme Court?*** The highest forum of justice declared him dishonest against non-declaration of his "acama", there was not a single word about his major corruption and embezzlement of national exchequer. ***How strange? Why a comprehensive decision against his corruption was not issued? Was it a special leverage for him to fightback the decision?***

“The judicial system is the most expensive machine ever invented for finding out what happened and what to do about it.”

(Irwin R Kaufman)

Now the Sharifs are eagerly seeking more legal help, and the judges are ready to grant them relief. It paints a picture of judge as unethical personnel with no regard for the rule of law. In JIT report, we see a head of the state who doesn't deserve to be. Then we see attempts over and over to obstruct justice, which in some cases succeed.

So is the case of Asif Ali Zardari, all reports evidently stand against him, he had been managing relief through judiciary, he claims openly and clearly. Example of Iftikhar Muhammad Chaudry's action against Zardari unmistakably explains the **game plan played by the highest chair of judiciary for the highest chair of the government involved in the highest rate of national exchequer's burglary.** He also provided him leverage by sacrificing somebody else and save his seat. Who was the escape goat for Zardari and Chaudry? Yousaf Raza Ghillani, another corrupt head of the parliament in the ill-fated history of Pakistan. He also got escaped by all liabilities through the decision of the highest legal forum.

“So long as if we have an independent and honest judiciary, the great interest of the people will be safe.”

(John Rutlege)

The question is: What are we going to do about it? Obstruction of justice is a crime. If Nawaz or Asif have committed that crime, they are criminals. If some judge has “**managed**” obstruction in justice, he is also a criminal. Are we simply going to allow a criminal to sit in the parliament and face no consequence, or a judge to hold the seat, don't deliver and play with the legal system to favour the culprits? Are we simply going to let the next election be the point at which Nawaz or Zardari is punished or rewarded? Will the judges let that happen against their will or for some other reason, best known to them? Is this the justice and what for justice department is backed by 210 million people?

“A judiciary loses its value and service to the community if there is no public confidence in its decision making.”

It is maddening to think that we are at such a pass. But, now people's mind is made up: they openly say **impeach them all**. Parliament should play the vital role in it. They should pass a resolution against the unethical corrupt judges and impeach them, duly endorsed and signed by the Senate. There may be a hindrance, if the Parliament votes to impeach Judges with controversial judgements, the Supreme Judicial Council would never vote to convict and remove them. This is the “failed impeachment” theory.

But, there is no such thing as a failed impeachment. Impeachment exists separately from removal. Impeachment is akin to an indictment, with the trial, which could convict and remove, taking place in the parliament or Senate. Though the Parliament and the Senate have never voted to convict, but it doesn't mean, it can't be done. **It is not a mission impossible**, it can be done if Parliament and Senate is sincere, and

I am sure we have many sincere parliamentarians just like we have many sincere judges and other personnel holding government offices.

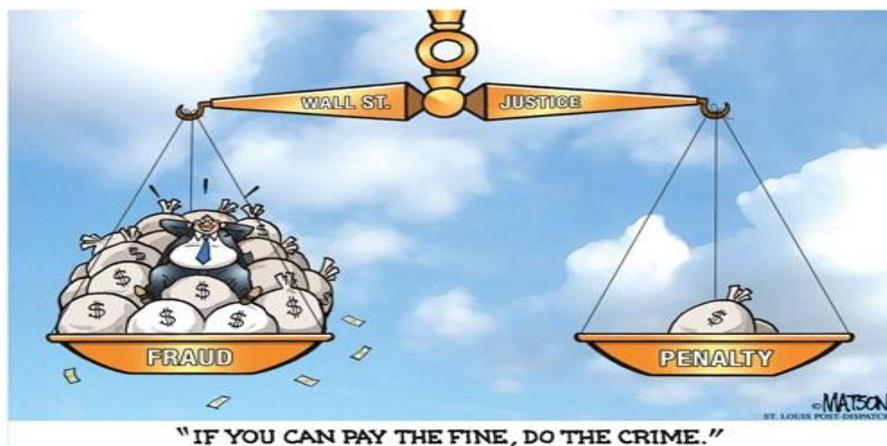
So, an impeachment vote in the parliament and Senate, to this point, been the strongest rebuke Pakistan is willing to give a judge, politician or parliamentarian. And, once a judge is impeached, judiciary will start delivering justice not favours. It is a chastisement unto itself. It is the People's House making a stand for its people. Once judges start delivering justice, process of development will automatically start.

An impeachment would be promising and may increase public support to impeach unethical judges beside people like Zardari, Nawaz and other such politician. It would also be better that they all and their families be restricted to hold any public office for life time.

People are tired of all the fear and trepidation. They are sick at the extent and pervasiveness of dishonesty and misdirection by both these individuals in the highest office of the land. But, will that sickness give birth to action? No, if the last two decades are our guide. People are afraid of judges and these two monsters; they look like they have a blood lust and not inadvertently but deliberately helped each other to increase the chances of re-elections, with their musical chair game of power.

But, this is not 1990s. Until 1996, CNN was the only cable news network. Facebook, Twitter and Instagram didn't exist. Google wasn't founded until 1998. Cellphones were in their infancy, and few people had them. Now, it's all open, people get the news before it happens. I'm afraid of lawlessness and the horrible precedent it would set if the judges don't deliver, if they don't stand for justice instead of favours.

The Parliament should initiate impeachment proceedings against the unethically corrupt judges, corrupt politicians, bureaucrats, army personnel or businessmen and their families.



To ignore a Judge's repeated efforts to obstruct an investigation into the corruption of known politicians, his disloyal behavior would inflict great and lasting damage on the country, and it would suggest that both the current and future head of the state would be free to abuse their power in similar ways. Such inaction enshrines the idea that the head of the state is above the law.

**“Just as politicians ought not to be judges,
so too judges
ought not to be politicians”**

Thomas Paine wrote in 1776, “In absolute governments the king is the law, in free countries the law ought to be king; and there ought to be no other.”

Who will we let be the king in this country, the judges, the politicians or the *LAW*?

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