

Enough to make you cry

How many middle class homes in Pakistan can honestly paste on their door the sticker that I have come across, saying "This home is child labour free? I am not going below the middle class because at the lower levels the householders do not have the education and enlightenment of the modern day that propagates against child labour. Going lower still you reach the stratum where if the children of the house did not work the family would die of starvation.

I have written about child labour before, but what can such sporadic writing achieve as long as there is no strong will on the part of the government and the public to change the system? And the labour part is just one of the numerous ugly facets about the state of children in this country about which many NGOs are concerned, none more so than the Islamabad-based Society for the Protection of the Rights of the Child. I would need to write a whole book just to acquaint you with what the untiring and dedicated society has been doing.

The society publishes an annual report on the State of Pakistan's Children and has been doing so for the last five years. These five reports are actually full-fledged books, each of more than 200 pages, and tell you all that you would want to know (if you are really interested) about how the children of the masses are faring — or suffering — and all that the government is not, repeat not, doing for them. The public is kept reminded of all this through two periodicals, a quarterly newsletter and the quarterly *Discourse*.

However, the size and contents of

these books pale in comparison before the monumental *Cries Unheard: Juvenile Justice in Pakistan*. You have to see it to believe the amount of hardwork, research, visits to prisons and sympathy that have gone into its 600 or so pages. It's a guide and record that all social workers and lawyers should be constantly looking into. When I say lawyers I mean those lawyers who are ready to strengthen the acuteness of their minds with the prompting of the heart and are ready to forego fees in order to assist hand-

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to-mouth youthful offenders. If some of them are so inclined here is a case for them in the form of a letter (unabridged) from one Omar Daraz, who was in Borstal Jail, Bahawalpur, for a long time. I do not know how fate treated him finally. It was published in the society newsletter last year.

"I am in jail since 1994 for a murder I never committed. I was just 10-11 years old and a student of Class VI when I was charged with the crime. There were also two other accused persons involved in the case who got released after paying Rs 0.3 million to the heirs of the murdered

person. The complainants also demanded Rs 0.1 million from my father, but being a poor man he could not pay the money so I was awarded 25 years R I. I spent about 27-28 months in the judicial lock-up which were not counted towards my sentence.

I continued my education in jail and passed matriculation examination. For the last six years I have received no word from authorities about my jail appeal.

"After getting remissions announced by the government on na-

tional days, and remissions because of education, I believe I have served my sentence, but I am still in prison because the High Court has imposed Rs 202,927 as (blood money) on me. That means I will spend the rest of my life in jail. The complainants are rich and very influential.

Is anyone of my readers moved? Has it made anyone cry in anguish? Don't you think we should all be ashamed of belonging to a society that permits such merciless laws to govern us? It is proudly claimed that in Islam the concept of justice is *adl-bil-ehsan* - justice

tempered with mercy. Where is that Islam put into practice? Certainly not in our legal system. Judges of the superior courts have been known to take suo moto notice of irregularities. Will one of them have pity on this boy, and if judicially helpless, appeal for donations to pay the *diyat*? I laughed in my tears when I remembered the boy's name is Umar Daraz. Should all of us who are impotent before the law wish him a long life in jail?

Columnists like me can only pick and chose whatever appeals to them most, like Umar Daraz's letter. In fairness to society, its report on children is not all criticism and carping. Every action of the government in the domain of children's welfare is scrupulously recounted, though these actions are few and far between. As the preface says: "It is not a pleasant experience to be writing about the plight of children year after year since there is so little change. In this fifth report one can see innumerable commitments made by the state authorities and few steps taken on the ground."

Before closing I must refer to a new initiative of the society and five other NGOs. People are being asked to send a printed letter to the NWFP Governor, drawing his attention to the plight of innumerable children in Frontier prisons and those undergoing trial, and requesting him to notify the Juvenile Justice Rules, nominate juvenile courts, release the maximum number of youthful offenders under 18, enact a Borstal schools law and establish at least one Borstal school in 2002, and promulgate a child rights law on the pattern of Sindh and Punjab. The good work goes on.