

State, society and hum

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THE adoption of Universal Declaration of Human Rights by the General Assembly on December 10 1948 was the first major achievement of the United Nations towards the protection of human rights. Each year, the anniversary of the adoption of Universal Declaration, December 10, is observed as International Day of Human Rights. In the form of Universal Declaration of Human Rights the United Nations has expressed its determination for protection of a wide range of human rights as enshrined in the Declaration which affirms that all human beings are born equal in dignity and rights without distinction of any kind such as race, colour, language, religion, political or other opinion, national or social origin, property, birth or other status.

All human beings are entitled to civil and political rights including right to life, liberty and security of person, freedom from slavery rectitude, freedom from torture or cruel, inhuman or degrading treatment or punishment, freedom from arbitrary interference with provacy, family, home, or correspondence,

freedom of opinion and expression, freedom peaceful association.

The International Covenant from Economic, Social, and Cultural Rights seeks to promote right to work in just and favourable conditions, the right to social protection, the right to education, and the enjoyment of benefits of cultural freedom. The International Covenant on Civil and Political Rights guarantees such rights as freedom of movement, equality before the law, presumption of innocence, freedom of thought, conscience and religion, freedom of opinion and expression etc.

In the context of rights and freedoms as granted by Universal Declaration of Human Rights and other conventions and protocols, the fifty years' human rights record of Pakistan seems far from satisfactory. For a significant period Pakistan was ruled by military dictators. Martial Law regimes placed a number of checks against social, political and individual freedoms. National institutions remained dormant under the influence of these undemocratic heavy weights. The right to legitimate opposition is never respected in Pakistan. The interception in the affairs of the state institutions resulted in the culture of

violence and religious strife in terms of sectarian violence. Justice is denied to the people.

The existence of discriminatory laws have placed women into an abysmally low a position in the society. Some of the laws have time and time again become source of tension in the society. Women, minorities, and other marginalised communities need serious attention of policy makers. Laws of Evidence, Hudood Ordinance, Section 144, presence of sections 295B and 295C and 298B and 298C are some of the laws which have been enacted without sufficient insight and they need serious deliberation and consideration to yield positive results in the society. The element of fundamental human rights must be considered while enacting such laws having effects on more than one sections of the society.

Civil liberties have blatantly been violated with impunity. There has been widespread torture and mishandling of accused at the hands of police. Prisoners and detainees are beaten, kicked, given electric shocks and burnt with with cigaretttes while under the interrogation of police for alleged wrong doings. Inhuman and degrading treatment to citizens is of frequent occur-

rence by police. Such inhuman punishments include sexual assaults against women within police stations, prolonged isolation, denial of food or sleep and hanging upside down, forced entry of police into residences is a common phenomenon and police officials do not care to obtain search warrants as required by the law. The irony is that these illegal entrants are seldom punished for the crime they commit. Brutal use of force is common by police for confession of alleged criminals. Custodial killings are at the rise and have remained a source of high degree of tension among political rivals and still remain unchecked but are usually described as police encounters.

Although governments claim to have guaranteed freedom of opinion and expression but the electronic media still remains in complete control of the government. Newspapers are free to publish news views and articles but they have to face wrath for their news coverage of various social events. Journalists are assaulted, abducted, and tortured by different ethnic, sectarian and religious groups, for unearthing cases of corruption and misuse of authority or other social evils. Brutal use of force

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Constitution provides complete freedom of religion in the country and also guarantees the rights of minorities.

However, religiously hard elements create trouble for minority communities time and time again. In recent past a number of incidents of accesses against minorities have been witnessed which bespeak the state of minorities in the country. Lack of tolerance among different sects and ethnic groups has created a void at the socio-political horizon of the country. Extremist elements resort to violence against their rivals resulting into killings of the supporters of the one or the other group or the innocent people having no nexus in any such grouping. The outraged try to influence the judicial courts in a bid to get the decisions of their choice by sending threat perceptions. Human rights activists also fall prey to such extremist elements. They are not only threatened of dire consequences but are physically assaulted so as to dis-

courage them for promoting the cause of human rights.

Growing Islamic military poses the most serious threat to domestic stability and human rights. A particularly disturbing by-product of Islamic militancy has been the unprecedented rise in sectarian violence. Bombing, shooting, and tit-for-tat assassinations by rival Sunni and Shi's extremist groups represent a growing threat to law and order.

Ethnic conflicts also contribute in adding to the problems of common man particularly in some parts of Sindh and Balochistan. The ethnic violence in Province of Sindh reached unprecedented heights in the near past. For years political life has remained dominated by a narrow elite that is neither representative nor national in character. The party system remains highly elitist, its top ranks are filled by figure representing regional and ethnic groups. Party caucuses represent people having their own vested interests and lack of intra-party democracy is a source of instability in the system.

— To be concluded