**Arrest without warrants**

[Dr Farid A Malik](https://www.nation.com.pk/columnist/dr-farid-a-malik)

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Freedom and fundamental human rights are the cornerstone of every constitution in the civilized world. When Bhutto took charge of what was left of Quaid’s Pakistan, he talked about the police brutality faced by his party and himself. He even talked about the marks on his back from the brutal lathi charge that he had to endure.

As the chief architect of the 1973 unanimous constitution, he ensured the inclusion of about twenty clauses covering fundamental human rights like freedom of speech, movement, confinement etc. Article 25 A declared literacy as a right of the citizen to be provided by the state. The chain of arrests without warrants in the land of the pure clearly indicates serious cheating of the agreement between the rulers and the ruled.

In the decade of the nineties, there was a worldwide movement for quality. An ISO 9000-based Quality Management System (QMS) was implemented. There were very few experts in the field. Despite my technical workload, I decided to use my practical experience in QMS development for the benefit of the local industry. My friend Dr Kamran Moosa and myself spearheaded the Quality Movement in the country. During this peak period, I was invited to speak at the Civil Services Academy located on Walton Road.

[Machine operator killed during anti-encroachment operation](https://www.nation.com.pk/10-May-2023/machine-operator-killed-during-anti-encroachment-operation)

The Director General (DG) asked me an interesting question. In his words; “Dr Sahib, almost all segments of the society are either non-performing or corrupt. Why do you target the bureaucracy as the root cause of the problems faced by the nation?” My reply was spontaneous as you have the power of the pen and control the files and paperwork. Has any bureaucrat ever tried to rationalize the system to introduce customer/service orientation? There was no answer.

Yes, like the constitution guarantees human rights, every QMS is built around customer satisfaction. The Japanese were the first to adopt this approach after the humiliation and defeat in WWII. Within decades they were able to emerge as the second-largest economy in the world after the United States.

Why are we being robbed of our freedom? Why are the constitutional guarantees blatantly violated? Recently Justice Shahid Kareem of the Lahore High Court (LHC) declared that the 1860 Law of Sedition enforced under Section 124 was unconstitutional.

[Korean Mission of UN-Habitat for Pakistan calls on Karachi Administrator](https://www.nation.com.pk/10-May-2023/korean-mission-of-un-habitat-for-pakistan-calls-on-karachi-administrator)

The bold move by the Judge should have triggered a crusade of cleansing the constitution of the Draconian colonial era and Martial Law regulations and acts but so far no one seems concerned. Now that arrests have started to intimidate dissent it is time to plan a counter-offensive to restore the spirit of the original document passed unanimously by the genuinely elected representatives of the people in the year 1973, fifty years ago.

The colonial state continues to operate under the Government of India Act 1935 despite the enforcement of the constitution in August 1973. Long time ago I had an interesting experience while visiting my cousin in London. We went to a pub where a dispute arose between my cousin and the cashier. While we had tendered a 50 GBP note the cashier insisted it was 5 GBP. To resolve the issue we went to a nearby Police Station.

On our complaint, a Constable accompanied us back to the Pub. When we reached there he stood outside and requested me to inform the cashier. I remember his words; “Without warrants, I cannot enter a public place”. So the case was resolved outside as the Constable had to follow the law of the land. In the Islamic Republic of Pakistan, the Police can enter at will at any time of the day.

[Sindh Abadgar Ittehad denounces violation of Indus Water Treaty by Indian govt](https://www.nation.com.pk/10-May-2023/sindh-abadgar-ittehad-denounces-violation-of-indus-water-treaty-by-indian-govt)

Recently they were shown jumping over the gate of the house of PTI leader Jamshed Cheema while they were told that he was not at home, only maids and minor children were in the house. It looked like an invasion of enemy territory. While Imran Khan (IK) was in court in Islamabad his house in Zaman Park came under attack. Cranes were used to break open the main entrance of his dwelling. Perhaps for the first time, the affluent Zaman Park saw such a savage invasion. Servants were rounded up. The gardener in the house next door of Aitzaz Ahsan was also arrested.

My student Barrister Hassan Niazi who happens to be the nephew of IK was arrested in Islamabad and then taken to Quetta from there he landed in Karachi where he was bailed out to appear in Naushera. Our Constables seem to be above the law of the land.

Several PTI leaders and workers are currently in Police custody. Ali Zaidi the President of PTI Sindh is fighting to be bailed out and so is Ex-MNA Amin Gandapur who has now been handed over to the Punjab Police for remand

[CM bans cultivation of rice crops on left bank of River Indus](https://www.nation.com.pk/10-May-2023/cm-bans-cultivation-of-rice-crops-on-left-bank-of-river-indus)

My late father Nazir Ahmed Malik strongly believed that “It’s a game of stamina.” Without resilience and fight back there can be no change. Petitions are being filed in Human Rights Commissions all over the world to check the current human rights violations in the land of the pure.

The right approach is to make a list of all the ‘ Colonial Era ‘ Draconian Laws and have them expunged by the parliament. As the enemy is within the solution also lies inside. Internal problems call for internal not external solutions. Yes, stamina is needed for this ‘ Marathon ‘ that should have started long ago. The system of governance and the constitution need a major clean-up for the preservation of human freedom.