**Lawmakers or lawbreakers?**

[Huzaima Bukhari](https://dailytimes.com.pk/writer/huzaima-bukhari/)

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“When the leaders choose to make themselves bidders at an auction of popularity, their talents, in the construction of the state, will be of no service.

They will become flatterers instead of legislators; the instruments, not the guides, of the people”—Edmund Burke Without any exaggeration, Wikipedia enlists hundreds of satirists from early recorded history of literature to the modern days. These writers include novelists, dramatists, playwrights, poets, essayists, movie makers and even columnists. Among the many factors that compel authors to dip their pens in the ink of sarcasm, perhaps the most dominating one relates to political pasquinade of their governments, politicians and law makers. This love-hate relationship has been in existence since the time of tribal chiefs.

One can say with complete confidence that not everyone is structured to wield authority because this comes with a cumbersome package of enormous responsibility, justice and accountability. Taking on the task of leading a team is no joke, nor is it something that can be taken casually, what to talk of heading an entire nation. Those who are actually cut out for leadership are men and women of a totally different constitution whose abilities can hardly be imitated by people of mediocre standing.

“A leader is one who knows the way, goes the way, and shows the way,” says John C. Maxwell while Alexander the Great expressed his fear of a truly powerful statesman in these words: “I am not afraid of an army of lions led by a sheep; I am afraid of an army of sheep led by a lion.”

With this backdrop of genuine governorship it would be interesting to review the behavior of some of our very own political leaders, if by chance they happen to be elected to the parliament and become legislators. Before going any further, a couple of principles that are taken for granted should be borne in mind. One, legislators make laws for the people therefore they are themselves above them and two, executive makes rules for others to observe while they are absolved from following them.

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These are important to understand so as to enable a proper analysis of how the system works. Another important fact to remember is the general attitude of the public whose confidence in the political and administrative process of the country is so splintered that having someone close in either of these sectors has become top priority and in some instances, a compulsion. Resultantly, families force their sons and daughters to appear for competitive examinations, Central Superior Service (CSS) and Provincial Civil Services (PCS) and if they fail, then the alternate option is to enter into matrimonial alliance with a successful candidate. Similarly, politics here has also become a game of ascendency even among the originally non-political families.

Amid this uproar how can democracy and rule of law survive? We have monarchy in so-called democratic political parties where the throne is passed onto the next in kin and not to an experienced or wise member. A seventy-year-old seasoned politician has no choice but to glorify the progeny of his masters although the position of the child is no match with his parliamentary status. Democracy is just in name. No political party in Pakistan has ever been functioning on democratic lines. Even if elections are held as claimed by one party, they are smeared with allegations of corruption and nepotism yet there is no accountability, rather the observers are ridiculed and compelled to resign. These parties have perhaps never heard about what James Callaghan had to say: “The rule of law should be upheld by all political parties. They should neither advise others to break the law, nor encourage others to do so even when they strongly disagree with the legislation put forward by the government of the day.”

When the flag-bearers of leadership and governance are of this caliber, how can the citizens be forced into obeisance and rule of law be established in the country? On November 30, 2020, another incident took place on the Motorway but this time it involved a member of the National Assembly and Sindh Minister of Minorities Mr. Ramesh Lal of Pakistan Peoples Party (PPP). His motorcade was nabbed by the Motorway Police for over-speeding and instead of acknowledging his fault, he tried to block the road with the car parked laterally alleging that he was deliberately stopped because of the Sindh number plate on his vehicle. When the police authority on discovering his identity asked him to go, he stubbornly refused to abandon his position jeopardizing the lives of other commuters. What a show of ‘respect’ for the country’s one of the few authorities that claims indiscrimination when enforcing law!

Time and again many have highlighted a troublesome issue whereby the public is forced to either pay its way to get its rightful matters settled by so-called public servants, find a close contact or influence authorities through using a powerful official. By no means does this portray the actual situation of the rule of law which should not only be visible by its effectiveness but must also be across the board, no matter whosoever is in its fold. The problem in our country is that where officials are rightfully proceeding against someone, they are condemned and made to look like devils and the ones who do not perform are accused of sluggishness and red-tapism. Between the devil and the deep sea, these persons of authority are forced to face the wrath of the people and their immediate bosses which make their lives miserable and insecure.

A law which the law makers cannot withstand for themselves cannot be implemented on the people because the law enforcers would be incapacitated if they are prevented from apprehending the law maker. Whenever, violation of law whether minor or major occurs, either intentionally or unconsciously, it ensues two types of persons, the defaulters and the apprehenders. Unless the ones who have been accused of the offence clear their position they remain felons in the eye of law and also unfit to contest elections and hold public office as their self-interest will always take precedence over that of the public.

This kind of notoriety is intolerable in any true democratic country. In India, there is a rising concern over consistent injection of criminal elements in the democratic process of the country where law breakers are aspiring to become law makers and are in the line to enter the Lower House of Parliament. At the launch event of the National Election Watch and Association for Democratic Reforms (ADR) that analysed the self-sworn affidavits of 7,928 of the total 8,049 candidates, contesting the 2019 Lok Sabha elections, one of the founding members of ADR, Jagdeep Chhokar, said, “The consistent increase in the proportion of candidates with criminal cases is a worrying sign for the Indian democracy. If more and more lawbreakers become lawmakers, then it is not a good sign for democracy.” From 17% in 2014 to 19% in 2019, there has been a consistent increase in the proportion of candidates with criminal cases.

The Election Commission of Pakistan should also analyse the credentials of those who submit their applications for becoming prospective law makers with the intention to filter out those against whom there is even an iota of misdemeanor, to establish the spirit of rule of law.

*The writer, lawyer and author, is an Adjunct Faculty at Lahore University of Management Sciences ( LUMS )*