

Serving the national interest

Society + SP news 21/06/01

Kamila Hyat

It is astonishing quite how many decisions are made citing the delicate question of 'national interest'. This largely abstract but frequently cited concept has been repeatedly used to curb freedom of expression, to adopt steps directed against political opponents and to refuse to even investigate matters of immense significance to the people of the country.

The precise definition of what constitutes national interest is often hard to pin down, with the amorphous term changing with the coming and going of governments, as the heroes of yesterday become the traitors of today. Indeed, it seems at times that so fragile is the interest of the country, that even publishing facts on the corruption of its cricketers could somehow dangerously threaten it, if the views of successive administrators are to be believed.

But, there are other areas where the 'national interest' argument has been used in far more ominous ways. Even the question of defining precisely what the term means is one that needs to be addressed, given the far-ranging interpretations in use today and their broad-ranging implications. Many citizens would argue that inquiring into and revealing corruption where it exists, within all sectors of national life, would best serve the interests of citizens, acting to plug the seepage of public funds, which hampers all aspects of governance. Why two key segments, the judiciary and the armed forces, are completely left out of the loop, even as the chief executive orders weekly reports on the corruption of bureaucrats, is something of a mystery.

As far as the armed forces are concerned, there can be little doubt that the persistent rumours of wrongdoing in defence deals involving the purchase of weaponry can only damage the image of the men in uniform. The recent attention directed towards the return from the United States of the former naval chief, Admiral (r) Mansurul Haq, and the stories that suggest he was not the only officer guilty of dubious practices, indeed underscores the need to clear the military as a whole. If a few within it are responsible for acts that have caused a question to be placed on the integrity of

the country's most elite institution, then surely this matter needs to be inquired into, so that the services do not carry with them on a longer term basis a damaging burden of doubt about their honesty.

Of course, any such matter would need to be cautiously investigated, and the details of the inquiry kept outside the public domain at least until the final findings are obtained. But the confidence of citizens in the armed forces would grow, if, rather than denying that there is even a modicum of suspicion in the face of the considerable evidence to the contrary, an effort was made to uncover the facts and penalise or clear those against whom whispered accusations have been made from time to time. Such an action would perhaps more truly serve the 'national interest' by swiftly deal-

The recent attention directed towards the return from the United States of the former naval chief, Admiral (r) Mansurul Haq, and the stories that suggest he was not the only officer guilty of dubious practices, indeed underscores the need to clear the military as a whole

ing with the difficulties that exist, rather than acting to keep them veiled at all costs. At the same time, it would also help set at ease the minds of people about the possible abuse of power within the hidden corridors of military institutions.

Still more mystifying is the failure to acknowledge problems with the image of the judiciary, despite the critical role the institution plays in national life. Even with the apex court lashing out in extraordinarily harsh language against a senior judge, the motivation required to at least order a full probe has apparently not been mustered up. It now seems that the tactic is to allow the issue to gradually fade from memory, and then attempt to avert the eye from any stains on judicial integrity it may leave behind.

It is correct that these issues are not simple ones; that they raise the possibility of other unsavoury findings coming to the forefront. But the question that arises is why the national leadership believes that ignoring they exist will in any way help resolve these concerns. Instead, the situation will

only worsen, the rot that exists will grow under the thick covering placed atop it, and become more difficult to root out in the years ahead.

Certainly, it can be argued that national interest would be most effectively served by undertaking whatever surgery is required now, in the hope that such an operation can still win back the trust of people in the institutions of State. This trust has been diminishing rapidly over the last decade, and has already resulted in what seems at times to be virtual anarchy, making the task of running the country a hazardous one for any leader. In an effort to bypass courts that are notoriously slow in meting out justice, private tribunals have sprung up across the nation, often headed by so-called men of religion. The alarming sentences they have meted out in the

Dir area, in Malakand and even in urban centres such as Sukkur have been notable in the fact that they diverge completely from the law as laid down by the State.

As a consequence, marriages between adult Muslims have been arbitrarily dissolved; punishments of floggings awarded after only a few minutes of hearing and in some cases persons banished from their native villages, and their homes, on only the most ambiguous evidence. An equally disturbing reflection on the diminishing faith people have in the judiciary is reflected in the common perception that certain lawyers are 'better suited' to persuade a judge to deliver a 'favourable' verdict. This is based not on the strength of their argument or knowledge of the law, but on the basis of 'good contacts' with the judges and the ability to use other incentives where needed.

Judges themselves have of course done little to improve this perception - their public statements at times indicating deep-rooted prejudices. But the

question remains of whether an attempt is to be made, to use a cliché, 'in the national interest', to cure the institution of this malaise or whether it is to be permitted to permeate even deeper within it, thus further eroding it of the faltering credibility it possesses. The same holds true of course for other institutions in the country. There can be little respect for these bodies amongst the public if they continue to be seen as unworthy of trust.

The police force today is no longer perceived as a unit that ensures public safety but indeed as one that directly threatens it because of its own criminalisation, brutalisation and inefficiency, and as such cannot expect the cooperation of law-abiding citizens. This inevitably adversely affects its ability to tackle crime, while for people the situation means that the men entrusted with the task of protecting their life, property and welfare are in fact openly feared and despised.

A wide range of public departments, especially those which in any way deal directly with the public, are seen as only marginally less dangerous. The lack of redress available to citizens who received inflated utility bills, the indifference of officials to their plight, means in effect that there has been an alarming breakdown in the relationship that should exist between any government and the people it governs. In such circumstances, the working of society becomes increasingly strained, with difficulties, such as those linked to the collection of taxes, becoming more grave in the absence of public cooperation.

It is clear that this cooperation, which must exist alongside a necessary element of coercion if a nation is to function effectively, must be won back. National interest would truly be served if this were to be even partially achieved. But to do so would mean facing up to real issues and at least beginning the process of tackling them, rather than silently ignoring problems within key sectors, even given the huge expenditures they incur and the significance they have on the lives people lead within the country.

The writer is joint director of the Human Rights Commission of Pakistan (HRCPC) and a former newspaper editor

kamilahyat@hotmail.com