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Flashback: Forging ahead for democracy

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Advocate Iqbal Haider looks back at four decades of fighting for human rights

The office of Hussain & Haider Advocate, Solicitors in Karachi holds a very special place

safe holding meetings elsewhere, especially during the martial law days. The conference hall accommodated more than 50 people at a time in the office.

Surely, the owner held an indelible passion for human rights to let all this happen at his behest. Advocate Iqbal Haider, a seasoned politician, ex-senator and a die-hard human rights activist has spent a lifetime fighting for the rights of the social and political victims of society.

In this office were held the first meetings for the Movement for the Restoration of Democracy (MRD) to challenge martial law. Top leaders and political activists walked into and frequented the office without fear. “The CIA and other agents working for security agencies would saunter outside my office sniffing for some kind of useful information,” says Iqbal Haider and laughs. “Later, when they saw that I was not deterred, they would call me directly and humbly say, ‘Iqbal saab, how are you? Would you please tell us what went on in the meetings?’ I used to tell them that we discussed grievances of the people. I had no fear,” he recollects.

Iqbal Haider returned from England in March 1971 to a Pakistan that was experiencing deep political turmoil. Unfortunate events were leading to the separation of East Pakistan. “When the army operation began in Dhaka in 1971, I remember reading the banner

While Pakistan was still hurt by the debacle of Dhaka's fall, Iqbal Haider and like minded supporters of democracy saw a new turn in the course of events. "Mr Bhutto came into power on December 20, 1971. We were all very jubilant and relieved that a dictator had been replaced by a people's leader," says Iqbal Haider. "We formed a new human rights organisation called the Civil Liberties Association of Pakistan. It was headed by Barrister S A Wadood, a giant in his own right."

Soon the honeymoon period was over. "We were appalled at an incident that took place in 1972," says Haider. "The police had opened fire on the labour unions and labourers and arrested several labour leaders. This was indiscriminate use of Defence of Pakistan Rules, DPR, which was the blackest law. That was the turning point in my life. I became a human rights activist then," he says.

Haider filed a case against the illegal detention of the labourers and labour leaders. The detention petition was filed in the High Court of Sindh. "This case was historic in its own right but I do remember making a stupid remark in front of the august house which included Justice Dorab Patel, a great man and a strong supporter of human rights," confesses Haider. While the Justice was adjourning court for two weeks, I remarked that this court had no conscience; that it was

“The Justice had me called in his chamber and in a soft and gentle tone, he tried to pacify me,” narrates the advocate as tears well into his eyes. “I cannot forget his approach which was that of an affectionate teacher.” Later the judgment came in favour of the enbloc release of more than 200 labourers and labour leaders including Usman Baloch and Karamat Ali.

This was one of the first cases of human rights handled by Haider. “I found a serious lacuna in the DPR. It said that the deputy commissioner had the power to detain but had no right to specify the place of detention. My detinue were kept in the Karachi central prison. I claimed that any illegality results in the release of the detinu. Since detention petitions are interpreted in strict law, it resulted in the release of the detinue,” Haider laughed jubilantly.

While he does not remember the exact number, he recollects that more than 0.5 million people were detained during different periods of martial law.

“Almost 52,000 people were flogged during Ziaul Haq’s martial law period. I remember a political activist, Iqbal Rind, was punished by being flogged ten times. Every time he was flogged he shouted out, ‘Martial Law murdabad’ (down with martial law). He was a patient at the SIUT and later died there. There were many other unsung heroes of democracy who challenged martial law, received punishments but

In 1988, Haider rejoined the Pakistan People's Party at the invitation of Benazir Bhutto. The Human Rights Commission of Pakistan had also taken root then as an independent organisation.

"The HRCP basically started work on fact-finding on various issues. The first secretary general was Asma Jehangir. Meetings were held in Lahore; Justice Dorab Patel was the first president of the HRCP.

"The most disturbing issue investigated by the HRCP was that of bonded labour. When I first travelled to interior Sindh, I was appalled to see the private jails that people were kept in. We were able to have hundreds of these people released and rehabilitated into camps."

These tasks were a veritable drop in the ocean when you saw so many political and social violations taking place all around. "I reported to Mohtarma that human rights were a vast issue and that it needed a separate ministry to be tackled properly. I developed a report and included in it a mandate, the terms of reference and then the obligation of a ministry."

The first human rights ministry was created in 1995 with Haider as the first federal minister. The ministry had a window into the ministries of interior, labour, women development, and social welfare.

In 1994, the case of the stoning of a Jamaat worker

should be an amendment in the blasphemy laws where its misuse can be contained.

“On research we found that most of the blasphemy cases arose either from personal enmity, personal grudges or prejudices, etc. Mohtarma directed Naseerullah Baber and me to find an amicable solution to this issue.”

The team began a consultation process with all the religious parties to gauge response. “Everyone agreed that the misuse of the blasphemy laws should be checked, but not repealed. In 1994, I drafted an amendment in section 295-C to prevent its misuse with the consensus of the religious parties. According to the amendment, the FIR should not be registered without an investigation carried out by the district magistrate. Unfortunately, due to some unknown conspiracy the amendment was shelved.”

Haider was on an official tour to Ireland when he heard that he was being condemned by the media for trying to repeal the blasphemy laws. “I told BB that I had not given any statement to the media but I do suspect mischief by someone. I returned to Pakistan without fear as I knew that I had not done anything wrong. I do regret that it was shelved,” he says.

While honour killing cases were paid heed to, Iqbal Haider remembers the famous Samia Sarwar case in

crime, what to talk of the illiterate and poor," says Iqbal Haider.

The office still brims with files upon files of cases that indicted the innocent while Haider came to the rescue. "You cannot imagine the terror of Ziaul Haq's martial law days. Political activity was considered next to a sin but we forged ahead to bring change," says Haider. He still awaits a time when true democracy will flourish in the country.

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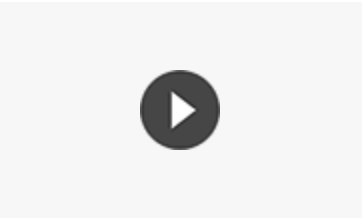
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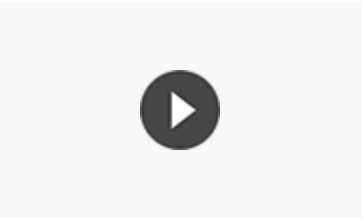
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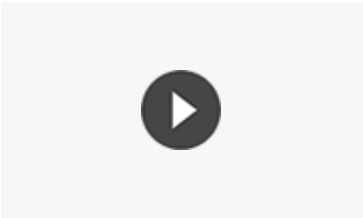
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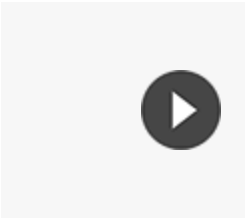
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