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Lawyers vow to resist military courts

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LAHORE: A lawyers' convention on Thursday rejected the 21st Amendment and the establishment of military courts.

It announced observing “black day” on Thursdays till the withdrawal of the decision.

The lawyer leaders vowed to continue struggle for the rule of law and supremacy of the Constitution. The convention hosted by the Lahore High Court Bar Association carried a resolution against the establishment of the military courts.

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Speakers maintained that the 21st Amendment was in contradiction of basic structure of the Constitution that ensured fundamental rights. They opposed army's involvement in politics terming it against the dignity of the institution.

To observe 'black day' on Thursdays

Supporting the war on terror, they said the military courts would divert army attention from its prime objectives.

The lawyers condemned the Peshawar massacre and termed it a war against humanity. The convention resolved at constituting a 'national coordination committee (NCC)' to chalk out a future strategy. The LHCBA president would chair the committee with elected representatives of Pakistan Bar Council, Supreme Court Bar Association and all four provincial bar councils as its members. The committee would have the mandate to give countrywide protest calls.

PBC Vice-Chairman Azam Nazir Tarar said the military courts establishment was against the fundamental rights and an attempt to ambush the constitution. He said it was true that the existing justice system had failed to deliver and required improvement, military courts could not be accepted on the pretext of failure of civilian judicial system.

PBC member Hamid Khan said military courts were being set up on the basis of Peshawar incident. However, he said, no one pointed out that the incident was the outcome of sheer failure of security and intelligence agencies. He said political parties had proved to be toothless and were giving more space to the military establishment.

He pointed out that civilian courts awarded death punishment to suspects but the executive failed to execute 8500 condemned prisoners due to political compulsion. Mr Khan claimed that the imprisoned terrorists had been running their networks from jails.

He said the lawyers should create awareness among masses about disadvantages of military courts. He said the army would not stop at the establishment of military courts but would further extend and assert its authority.

Supreme Court Bar Association's former president Asma Jahangir said military rulers wanted people to wear iron caps and 21st constitutional amendment was the part of this conspiracy. She said the country had been militarized by setting up military courts. She said establishing military courts amounted to imposition of soft martial law. She said the entire nation was grieved over the Peshawar incident but it should not be used as a card to justify establishment of military courts.

Ms Jahangir said the lawyers were also vulnerable to terrorism but they would not allow military courts because they wanted rule of law. She said they had experienced brutal military torture on civilians and could not endorse the same. She regretted the lawyers sitting in parliament had also supported the 21st Amendment.

She said the petitions before Supreme Court against the 21st amendment should be dealt in a way that decisions of military courts should be subject to judicial review.

She also condemned terrorism in the name of religion, ethnicity and honour killing. She said huge resources had been spent on "Jangla Bus" and tanks but very little resources were being spent on judicial reforms.

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