**Common law for commoners**

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November 16, 2021

‘One is innocent unless proven guilty’, this applies to common folks, not public office holders. For policymakers and power brokers the European or the Napoleonic Code applies, ‘One is guilty unless proven innocent’. The onus of proof lies on the accused, it then speeds up the process of justice, such a scenario is then defined by ‘Justice delayed is justice denied’.

I tend to agree with the Prime Minister (PM) that the accused should not be allowed to actively participate in parliamentary debates, they should be allowed to vote but not take the floor unless they come clean.

There should be a Presidential Ordinance debarring a public office holder from taking the floor of the house if his/her corruption case goes beyond a period of sixty days. Then there will be no adjournments, the entire process will be expedited and truth will come to the fore.

[Pakistan logs 10 Covid deaths, 270 fresh cases in 24 hours](https://nation.com.pk/17-Nov-2021/pakistan-logs-10-covid-deaths-270-fresh-cases-in-24-hours)

Unfortunately, Common Law has been rendered ineffective in dealing with white-collar crimes worldwide. Most convicts in our prisons are full of poor people convicted for petty crimes while the ‘gluttonous monsters’ get away.

Delays go unpunished and easily adopted by the corrupt. While the prevalent law is designed to protect the innocent, it has no teeth to go after the powerful who hide behind these soft clauses that protect fundamental human rights.

Till the decade of the seventies when corruption was contained, higher courts provided relief to political dissidents, now the corrupt have succeeded in getting this protection.

While the current inefficient prosecution succeeds in getting the powerless convicted, it fails to net the powerful who have the luxury of hiring expensive lawyers. While NAB follows the ‘Napoleonic Codes’ of arresting the accused, the higher judiciary follows the Common Law which provides relief to the powerful where guilt has to be proven. Courts call for proofs which are non-existent.

[Sheikh Rasheed’s elder brother passes away](https://nation.com.pk/17-Nov-2021/sheikh-rasheed-s-elder-brother-passes-away)

A few years back there was a big racket of fork lifting parked cars till the Lahore High Court (LHC) ruled that only uniformed government employees were authorised to handle public property. Since then, that corrupt practice has been contained.

I was personally involved in one such incident. My wife’s parked car was lifted from Raja Centre. On inquiry we came to know that the car was in custody of the Police Station. Upon arrival, we were asked to pay a fine of Rs 200 which I agreed to pay against a proper stamped receipt, which was not available.

Finally as a compromise, it was agreed that the ‘Mohrar’ of the station would affix the stamp which he refused, clearly indicating that it was a clandestine private corrupt levy being carried out under official patronage. At this stage I decided to use power and asked my wife to drive the car away, which she did.

Only the powerful can usurp ill-gotten wealth without receipts as such they cannot be convicted in a court of law. Then they use their vantage positions to protect their unscrupulous acts.

[Govt to table 22 bills in Parliament’s joint session today](https://nation.com.pk/17-Nov-2021/govt-to-table-22-bills-in-parliament-s-joint-session-today)

All accused members of the parliament should come clean within sixty days of being accused or lose their privilege to speak in the house only then the sufferings of the commoners will be contained.

All it needs is a presidential ordinance to speed up the stalled ‘Accountbaility Process’. Politics calls for service to the nation, not a business venture as it has been since 1985.

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