

Frontier Verdict

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THE verdict by an additional district and sessions judge in Peshawar ordering the amputation of the hand and foot of a person convicted of robbery will only serve to embolden the extremists in the country. The judge delivered his verdict after finding the accused guilty of robbery at a bus stop and stealing over Rs 300,000 from a passerby. The court has also jailed the man for five years and fined him Rs 30,000. The fact is that the handing down of such a punishment would not be possible were it not for Gen Ziaul Haq's so-called Islamization and the introduction of the discriminatory Hudood ordinances. Of course, one is not trying to defend the robber here but to point out that the punishment should be commensurate with the crime and also not be of a kind that it disables the perpetrator for life.

While handling such cases, it should be noted that the fundamental principle of the Islamic legal system is justice combined with compassion. Besides, the enforcement of Hudood punishments presupposes the existence of an Islamic society based on economic and social equality and justice. A mere enforcement of the penal part of Islam while ignoring the fundamentals of a welfare state amounts to a negation of all that Islam stands for. Such punishments, as experience shows, are never implemented, but they make world headlines and add to a distortion of the image of Pakistan and of what Islam is all about. The verdict has to be confirmed by the Federal Shariat Court and hopefully it will be changed in favour of a more humane form of punishment, as has happened on several occasions in the past when similar punishments were handed down by lower court judges. That still does not take away from the fact that there really is no place in this day and age for such punishments to be on our statute books.

P.S.

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