

## Current events in Pakistan: Impact on provincial faultlines

Much of the internal conflict in Pakistan has centered on the question of national identity – what does it mean to be a Pakistani? This was the underlying theme of the round-table discussion on *Current Events in Pakistan: Impact on Sindh and Balochistan* organised by Observer Research Foundation on January 29 in New Delhi.

Pakistan has been in turmoil since July 11, 2007 when the security forces launched an operation in Islamabad's Lal Masjid to clear pro-Taliban clerics and their supporters. Radicalism and extremism have since only increased, along with sharpening of provincial divisions. The assassination of Benazir Bhutto on December 27 has only added fuel to fire by reviving the cause of nationalism in Sindh and Balochistan, two provinces in Pakistan which have been struggling under discrimination and injustice by Punjabi-dominated military and political class for decades.

Where is the situation in Pakistan heading to? It is critical to understand the underlying question of national identity in Pakistan before attempting an analysis of current developments. The central question which Pakistan has to find a consensus is: What does it mean to be a Pakistani?

The Lahore Resolution of March 23, 1940 (Pakistan Resolution) the basis on which the "federation" of Pakistan was established called for the Muslim-majority areas to "be grouped to constitute independent states in which the constituent units shall be autonomous and sovereign".

All Pakistan governments to a lesser or greater degree dishonored this original commitment to genuine federalism. There is therefore now an urgent need to review Pakistan's history in the light of the Lahore resolution of 1940. From the perspective of nations who are not represented in the power and privilege sharing at Islamabad the situation now is unacceptable. We saw the consequences of the centralist, authoritarian way of ruling when the Bengalis rose up in arms against what was basically another version of colonialism. The story continues to be repeated, with the State using all its force to crush dissent. Thousands of disappearances are taking place, in which most of the disappeared are from the 'smaller nationalities'.

The central government continues to use colonial policies of "divide and rule" favoring feudal elements by appointing them to important posts in the government and allowing them to speak in the name of "their people" thereby trying to diffuse real dissent. Contradictions therefore arise which serve the agenda of the central government. With abject and endemic poverty everywhere and emasculated and dysfunctional public sector, sometimes nationalist forces will rally feudal political

elements who may deny basic rights to their own peasantry to perpetuate their hold.

For years the State authorities have taken token measures to appease what they call the 'ethnic minorities' that basically comprise the smaller nations of Pakistan. However, in reality, Pakistan's 'smaller nationalities' have always had to fight for recognition and their fair share of natural resources. There is great subterranean mineral and natural wealth in Sindh and Balochistan, the benefits of which are felt in far away metropolitan centers of power, while the many of the people who live in these mineral-rich areas continue to barely eke out a living for themselves and their children. These issues, relating to the inequitable distribution of development and sharing of resources, are emerging as a major tinderbox for conflict in Pakistan, as is already clearly evident in Balochistan where the full might of the State is engaged in crushing a rebellion, as it has done four times before in the six decades of Pakistan's existence

Whilst various non-Sindhi bidders and foreign corporations fight for gain of Sindh's rich mineral resources, the majority of Sindhis remain hungry, uneducated, impoverished and jobless. Contracts for development of two oil and gas fields in Sindh province have been awarded without consulting with, or taking the people of Sindh into confidence. The current Sindh Government, which was formed after bogus elections and much horse-trading, is impotent and unrepresentative. It cannot safeguard the interests of Sindh. As always, women are the most severely affected by this ongoing tension, which puts society and the environment under severe stress and denies basic needs such as clean drinking water and food security. On another level women have to combat various forms of oppressions within their own domestic spheres as well.

In Pakistan, there is a clear diversity in the relationship between Federation and federating units, including Sindh. As Dr Farooq Hassan wrote in *The Nation*, "In a historical context this topic has been a problem of a perennial nature in Pakistan. It was the fundamental cause of the inordinate time taken by the original Constituent Assembly of Pakistan to frame a Constitution for the country. In a Federation, the federal structure should be based on the co-equal and co-ordinate power between the federal unit and the constituent units. Each must have complete autonomy in law making and governmental affairs in their own domain. Examples may be seen in cases of the U.S., Australia, Canada, Germany and modern India. Probably that was the idea at the time of making of Pakistan as well.

For this to happen, the Constitution must ensure that governmental powers between the federation and the constituent units is divided and kept separate. The totality of governmental powers consists of executive, legislative and judicial powers. The

question of division of powers is determined primarily by examining the issue of distribution of powers between the different units of a federation.

In Pakistan, these powers are based on three separate lists of subjects to be shared between federal government and provincial units - a Federal legislative list called "List I", a Provincial list called "list II" and a "concurrent list" or "List III". This concurrent list of 36 crucial items mentions the shared authorities and powers between federal and provincial federating units and is the tool by which federal government usually intervenes and dictates its terms on the smaller federating units, making them weak, powerless and relatively ineffective. The Constitutions of 1956, 1962 and 1973 changed these. In 1973, Mr. Zulfikar Bhutto had promised that in 10 years the concurrent list will be returned to the provinces. It has not been done so far. In fact, federation has reserved much more power than ever before. This weakens us to fight the war against terror and performing other important tasks of government.

As Dr. Farooq Hassan pointed out, "the allied problem is that of the question of independence of judiciary, normally the safety valve of a political federal conflict...As recently as January 25, 2000 the Chief Justice of the country and six senior most judges, all incidentally from the province of Sindh were unceremoniously dismissed. This offended the federal principle on two fundamental bases. First without a federal judicial institution's integrity and independence, no federal system can exist. The doing away of the country's Supreme Court thus cannot be overlooked or tolerated. A federal system ceases to exist when this occurs. Secondly the packing up of and sending home of every Supreme Court judge from the Supreme Court en bloc from one province renders the sanctity of the Federation meaningless` `.

An analysis by renowned scholar, Mr. Selig Harrison, focusing on Balochistan indicates that, "in neighboring Sindh, separatists who share Baluch opposition to the Punjabi-dominated military regime of General Pervez Musharraf are reviving their long-simmering movement for a sovereign Sindhi state, or a Sindhi-Baluch federation, that would stretch along the Arabian Sea from Iran in the west to the Indian border. Many Sindhi leaders openly express their hope that instability in Pakistan will tempt India to help them, militarily and economically, to secede from Pakistan as Bangladesh did with Indian help in 1971.

He said "In Pakistan, where the Baluch have been radicalised by their periodic military struggles with Islamabad, many Baluch leaders believe that the goal of the insurgency should be an independent Baluchistan, unless the military regime is willing to grant the provincial autonomy envisaged in the 1973 constitution, which successive military regimes, including the present one, have nullified. What the

Baluch, Sindhis, and a third, more assimilated ethnic minority, the Pashtuns, want above all is an end to the blatant economic discrimination by the dominant Punjabis”.

“Most of Pakistan's natural resources” he said “are in Baluchistan and Sindh, including natural gas, coal, uranium, copper and potentially rich oil reserves”. His report also confirms that, “For decades, Punjabi-dominated central governments have denied Sindh and Baluchistan a fair share of development funds and paid only 12% of the royalties due to it for the Baloch gas. Similarly, the Sindhi and Pashtun areas have consistently been denied fair access to the waters of the Indus River by dam projects that channel the lion's share of the water to the Punjab”.

In most proposals for a devolution of power to the provinces, Baluch and Sindhi leaders have argued that taxes collected by the central government should not be allocated, as at present, solely on a population basis, which favours the Punjab; instead, it has been suggested, half should be allocated on a population basis, while the rest should be distributed in accordance with the amount collected in each province. Since the provinces have equal representation in the Senate, even under the 1973 constitution, the upper chamber should be given greater powers, with the Senate, rather than the president or prime minister, empowered to dissolve a provincial legislature or to declare an emergency.

A more extreme demand is that Baluch, Pashtuns, Sindhis and Punjabis should have complete parity in both chambers of the National Assembly as well as in civil service and military recruitment, irrespective of population disparities. All factions among the minorities give priority to radically upgraded representation in the civil service and the armed forces, and all want constitutional safeguards to prevent the central government from arbitrarily removing an elected provincial government, as Prime Minister Zulfikar Ali Bhutto did in 1973. The issue of safeguards against arbitrary central intervention is likely to be a non-negotiable one for the minorities, since they are seeking not only the substance, but also the feeling, of autonomy.”

The three so-called minority provinces cover 72% of Pakistan's territory, but their combined claim in budget is only 33%. According to Harrison, “to the Punjabis, it is galling that the minorities should advance proprietary claims over such large areas. For this reason, the prospects for a restoration of the 1973 constitution appear bleak”.

In the final analysis, “the possibility of a constitutional compromise is inseparably linked with the overall course of the struggle for democratisation. With continued military rule, the Baluch insurgency and the growing movement for Sindhi rights will be radicalised. But it is unlikely that the Baluch could prevail militarily over Pakistani forces and establish an independent state, even with Sindhi help, unless India

intervenes as part of a broader confrontation with Islamabad. The prospect for future is for a continuing, inconclusive struggle by the Baluch and Sindhis against Islamabad that will debilitate Pakistan.

### **THE BALOCHISTAN FACTOR:**

Sindh and Balochistan, the two southern provinces of Pakistan, hold a unique position in the region between South-Asia and Middle East. Although both are provinces of a country, but their position and resources are invaluablely important for the rest of the world, particularly in the present geo-political situation, when they both assume locations of International importance. In lieu of the energy crisis and quest for oil and gas, the almost 1000 km of coast line on the Arabian Sea, the incredible potential of development at and from 'Gwadar' Coast, and the short and straight distance from the warm waters to the Central Asian states via Afghanistan, become the critical attractions for any industrialized nation in the world to be interested in taking this strategically important area in loop for future development interventions.

Both these extremely resource-rich, minimally populated and with large swats of pristine areas are strategically important locations, yet most under -developed, poor and most neglected provinces of Pakistan, whose tremendous natural & industrial resources are being exploited for the benefit, not of its people, but a large brutal military of Pakistan and to benefit corporate interest of Punjab.

Sindhis and Baloch are largely disenfranchised. The sheer size of population does not generate a great deal of global interest. The Government of Pakistan being usually headed by a fascist regime is sadly supported by a large number of western democracies. Consequently, the concerns of people in Sindh and Balochistan are brushed aside. Pakistani military & its proxy Islamic fundamentalist groups have been unleashing with the impunity terror upon Sindhis and Baloch.

The Government of Pakistan has actively discouraged and has often ruthlessly suppressed & persecuted any dissemination of information concerning issues of human rights, democracy, economic exploitation, control of resources and environmental in Sindh and Balochistan. Fearing persecution, active and vibrant civil society engagement has unfortunately not materialized and not many non-profit organizations have actively engaged in working for the concerns of Sindh and Balochistan, thus making it incumbent upon W.S.I. to focus its entire energy to struggle for challenges faced by the people in the two southern provinces of Sindh and Balochistan, now attaining international importance.

The situation in Sindh's neighbouring province Balochistan is even worse. Both these southern provinces of Pakistan share the issues of extreme poverty in spite of

possessing rich natural resources, utmost under-development and worst form of discrimination at the hands of federal government, who does not involve them in any decision making regarding their own fate.

Pakistan is held together by force and fear not because of the will of its oppressed nations. All military generals of Pakistan have taken great pains to ensure that credible political leaders are physically eliminated or they are forced into exile. Nawab Akbar Bugti, head of Jamhuri Watan Party (JWP) and chief of Bugti tribe in Balochistan refused to play ball with the generals, therefore the Pakistan military directly attacked Dera Bugti, Sui, Kohlu and other areas that were under his leadership, eventually killing him on August 06, 2006. This was followed by yet another brutal murder of Nawab Khair Bakhsh Marri's son, Balach Marri in November 2007.

These actions of the Pakistan military have only worsened the situation in Balochistan. Prior to this, the Baloch national resistance led by Balochistan Liberation Army (BLA) was confined to Marri and Mengal areas. When security forces could not capture or defeat BLA, it increased the intensity of oppression against the common people, particularly the workers of different political parties and student bodies of Balochistan. The intelligence agencies detained political workers accusing them of being members of BLA. In addition to the killings of Nawab Akbar Bugti and Balach Marri, the recent arrest of BNP leader and former chief minister of Balochistan Sardar Akhtar Mengal and General Secretary of BNP Advocate Habib Jalib Baloch and framing sedition charges against them has also worsened the human rights situation in the province.

Especially the disappearance of thousands of Baloch political activists all over Balochistan has created a wave of concern not only in Pakistan but its reverberations can clearly be heard in Human Rights associations and bodies all over the world. The number of Baloch missing persons has now reached the frightening number of 6000. Similar situation also prevails in the province of Sindh.

## **JEHAD, FUNDAMENTALISM AND SINDH**

Sindhis have inherently rejected religious fundamentalism long ago, earlier than any other nation in the world did so. The peace loving people of Sindh chose 'Sufism' as their philosophy, not any religion in particular. The voice of Sindh in the words of Sindh's sufi poet and philosophical leader, Shah Latif Bhittai expressed this sentiment almost three centuries ago. In all of his thousands of poems based on the message of love, humanity and compassion, he does not mention any subject with any negativity or dislike, except for two kinds of people whom he openly disapproves in his poetry. His philosophy hits on those business manipulators who aim at more

and more at any cost, and the other group that he openly condemns as the most evil of the evils is the 'Mullahs' and fundamentalists of Islamic Shariat.

Thus people of Sindh are basically followers of Sufis such as Bhattai and have opted for Sufism, love, peace, brotherhood and secularism as their philosophy in life. Sindhis may be born in and follow any religion ritualistically, but traditionally are staunch believers of secularism and tolerance in its real sense.

## **DISAPPEARANCES**

In the past few years, Pakistan is suffering from an intense and dangerous wave of the menace known as the hall mark of dictatorial regimes world wide, and that is the issue of "disappearances" or extra-judicial arrests by intelligence agencies and government machinery. This trend has attained the scale of a national issue and has been condemned by most reputable international and national human rights organizations and rights conscious citizens through out the world,

There is precedence that whenever Pakistan comes under military rule , the political activists, journalists, lawyers, human rights activists and other outspoken members of civil society suffer the most. Political workers are picked up regularly by military intelligence and kept in obscure places without producing them in any court of law.

This anti people infamous tradition is being followed since the first attack on civilian rule took place under General Ayub Khan in 1958 barely eleven years after the establishment of Pakistan .This phenomenon of forced disappearances continued during subsequent bouts of military rule under General Yahya Khan from 1969 -1971, General Zia ul Haq from 1977 to 1988 and continues today during the current era of "Enlightened Moderation" of General Pervez Musharraf, the blue eyed General of USA and the West, who took power by coup d'etat in October 1999.

General Musharraf started his armed innings by "disappearing" his benefactor Prime Minister Nawaz Sharif. Nawaz Sharif was kept in Pakistan Army's custody for about 6 months, without being produced in any court of law.

At the beginning of 2000, barely three months after grabbing power, the forced disappearance of political activists began from Balochistan. Since 1947 the Pakistan Army has been very busy in Balochistan. As the senior officers joke amongst themselves, they have been trying to 'teach a few lessons' to Baloch Nationalists since sixty years, but the Baloch don't seem to learn , who stand accused of demanding a fair share in the natural resources of their province.

When victims of forced disappearance realize that their spouse, parents, siblings and children have no idea where they are and are beaten and tortured on a daily basis, it is enough to make the strongest person break down and beg for mercy.

Many Sindhi nationalist leaders have forcibly been disappeared some missing for more than one and half years. Dr. Safdar Sarki, a US citizen was one of those disappeared since 2004, who has recently been known to be in a jail in Balochistan with others. Asif Baladi and Chetan Bajir, are some of the better known Sindhis who were arrested illegally too. About 500-600 others still missing are less known ordinary political workers.

Today's situation in Pakistan is drastically different from the past. In the past when political activists were picked up by agencies, a single writ petition of habeas corpus in the High Court was sufficient to get them produced in a court of law. Habeas corpus was, indeed, a very powerful legal weapon in the hands of the aggrieved for seeking redress against a perceived injustice. The government of the day generally responded positively, but now the proponents of the more liberal doctrine of "Enlightened Moderation" have become so shameless that they do not care about any court of law, even the Supreme Court of the country.

Expressing concern at the grim situation of violation of basic human rights Amnesty International has condemned forced disappearances and illegal detentions in Pakistan. It has, in fact criticized parliamentarians and the courts, for not effectively raising their voice against such violations and for not providing relief to the affected people. Amnesty International has attributed this indifference of Pakistani civil society to the fact that over a period of time the people have grown used to the abuse of their rights and to violence.