

# MILITARY OPERATION AND THE CHALLENGE IN SINDH

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Reference to be provided by Prof. Khurshid

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Pakistan is passing through a very critical period today. Sind is in flames. After over six years of uninterrupted lawlessness on an unprecedented scale Government has been forced to invite the army to establish law/ and order. During the last one year it has been reported that over 3000 cases of kidnapping for ran some have taken place. Several hundred people have been killed or permanently incapacitated. Private armies became arbiters of people's fate. Administration was paralyzed and acted only as an instrument of powerful vested interests. From national viewpoint this is a very serious situation from national viewpoint and deserves to be tackled urgently. Government and the opposition parties must rise above their immediate political interests and respond to this challenge in a truly national spirit.

Army operation can never be accepted as a desired method to solve civil problems of the society. Yet the conditions had gone so oppressive that people had begun to cry for military intervention. Welcomed by most of the political forces of the country (excepting MQM). Quite a few had their support with reservations. Yet most of the people are of the view that the operation became inevitable. People in general were so fed up with lawlessness, decoites, robberies, kidnappings, murders and extraction of money in the name of donations that they heaved a sigh of relief on this military operation.

Another positive aspect of .the present operation is that it is taking place under the authority of the Constitution and within the legal system of the country. Human rights as guaranteed in the Constitution have not been tampered with nor has the judicial system been over-taken. There is freedom of press and there is debate in the parliament. National Assembly discussed this issue rather haltingly but the Senate is discussing it at full length. These are positive aspects which make the present military operation unique.

This, however, adds to the responsibility of the civil and military authorities as the trust that the nation has posed in the army, it is hoped, would not be impaired. Pakistan cannot afford this operation to fail. God forbid, if it is not successful then the Constitution as well as the political process would be at stake. The reputation and respect of the army is also on trial so is the political leadership. If as a result of the operation law and order are not restored the people will lose hope not only in the army but even in the country. And if in desperation army goes after more and more powers this may lead to military rule and collapse of the Constitutional arrangement. This would have very far-reaching consequences for the solidarity and integrity of the country. In a situation like that the threat of external intervention also cannot be ruled out. In fact this operation is so sensitive and so crucial that every effort must be made from all sides to ensure its success. Its only objective should be restoration of law and order and bringing to book those who were responsible for blood-shed, lawlessness, decoites, arson and killings in the province. Even persons like myself,

who are normally opposed to military intervention in civil matters, feel that the nation is faced with a very special situation in Sind and it is our prayer and effort that the military operation succeed in achieving this objective.

While we trust the army and extend all co-operation to it, it deserves to be noted that the army is not only faced with a difficult and complex challenge but the political leadership of the country both at the Centre and the Province have not done enough to provide the army with a scenario that could inspire confidence. The military operation should have been resorted to much earlier as the situation has been deteriorating fast during the last several years. It is unfortunate that even a few months back people at the helm of affairs including the President, the Prime Minister and the Chief Minister of Sind had been trying to claim that things were improving, something contrary to reality. Lack of courage and decision all the right moment by the political leadership has aggravated the situation.

It is also unfortunate that the operation has begun with a rather very high profile. It would have been preferable to start things in a more humble manner and deliver the goods. Yet the way things began warned the culprits before actual strike, with the result that a large number of them have run away from the province or even from the country. Important documents have been removed or destroyed. Even arms and explosives have been hushed away. This has added to the difficulties of the army operation.

It seems that top-most Government leadership has been suffering from uncertainty and confusion. It is reported that major decisions were taken in GHQ on 19th and Mehran rangers moved on 21st May 1992 yet formal announcement was made only on 28th May. A military spokesman, in a recent briefing had said that the actual operation began on 25th of June. All this is a terribly confusing.

As if the above confusion was not enough ministers have come out with contrary and confused explanations about the legal basis of the military operation. Initially, the Interior Minister invoked Section 131-A of Pakistan Penal Code without realizing that the same no longer exists on the statute book. Finally explanation has come in the form of Article 147 of the Constitution<sup>^</sup> yet statements from many directions suggest that the actual powers enjoyed by the army are those covered under 245, which has not been forcibly invoked so far. The Minister for Defence Production has come out with a statement casting doubts over the neutrality and objectivity of the *operation*. MQM whose torture cells and other heinous crimes have now been acknowledged publicly continues to be part of the Federal and Provincial governments. Its entire leadership, responsible for unleashing horrendous crimes, as stated by the present and the former Chiefs of the Army Staff, still enjoys Government's tacit protection. It also deserves to be noted that what was going on at the hands of these people was no secret even in the past, but the gruesome fact is that they were operating under the protection of civil governments both of the PPP under Benazir Bhutto and the present Government. While the MQM leadership is held guilty for these crimes, can the past and

present Governments at the Centre and Province be absolved of their guilt? People are also upset over what was being done in the torture cells of the CIA under the control of a former Adviser of the Jam Sadiq-MQM government, who is reported to have escaped. So are questions about. It is tragic that the people have been terrorized in Sind, as also in some other parts of the country by private armies of MQM, PPI, PPP, Jaye Sind and others and the government has totally failed to protect the life, property and honor of the people.

The story of the torture cells of Karachi has put the entire nation to shame and it would be tragic if those responsible for perpetrating these crimes and also those responsible for protecting persons guilty of these crimes are not brought to book without any discrimination and punished.

Several initial mishaps have also cast some dark clouds on the operation. Most important of these is the Pind Bhawal tragedy. Similarly death of persons under investigation remains a scar on the operation. Army has set a Nobel example by admitting its mistake in the Pind Bhawal case. This has restored peoples' confidence. The army should treat these as warnings as any repetition of mistakes like these is going to affect the operation and impair army's credibility.

While restoration of law and order is the primary objective of the military operation and should remain the exclusive concern of the military authorities, Sind problem cannot be resolved without facing the political and socio-economic challenges which lie at the root of the crisis. The problem is much more complex. It is not a simple law and order issue. The people of Sind have very serious grievances which have been aggravated by prolonged deprivation in the fields of polity and economy. Sind is faced with a very special situation that almost half of its population consists of those who have migrated from India or from other provinces of the country. There has not been any serious effort to bring about greater cultural and social cohesion in the population and build mutual trust, something which had existed initially but has deteriorated over the years. Unfortunately this has resulted in ethnic and linguistic sub-nationalism. The land reforms introduced in 60s and 70s have not been properly implemented with the result that the plight of the Maris and landless peasants is despicable. New lands brought under cultivation as a result of establishment of new Barrages have not been distributed in a manner that could satisfy the needs of the local population. Industrialization of rural Sind has not taken place. Even basic amenities are not available to a majority of the population.

Urban Sind also faces stupendous problems, particularly due to lack of facilities of education and employment opportunities. In fact unemployment of the youth has become one of the major problems in urban and rural Sind alike. This has contributed towards pushing youth into negative and anti-social movements.

The sanctity of the ballot has been disregarded in a number of ways and people have a feeling that they have not been in a position to decide their own problems. This sense of deprivation was deepened during the long spells of Martial Law and its after affects are still being felt by the people.

All this calls for a political package covering different aspects of this complex problem. Army cannot evolve such a package, nor should it try to burn its fingers for this purpose. Army should confine its efforts to the restoration of law and order. It is the responsibility of the political parties to take initiative to lead the province out of the political and economic crisis. It is they who must work out a package to achieve national reconciliation. The crisis can be resolved only if political rights are ensured and people have the confidence that their problems in the fields of economy, education and polity are being solved with justice for all.

It must be realized that it is only through political process that problems can be solved. While it is imperative that those who have polluted politics through use of force by organizing private armies or by invoking linguistic, ethnic or sectarian passions must be curbed with a firm hand, yet the real political and economic grievances have to be resolved with justice. End of violations in politics is only a prelude of any healthy political process. It must also be realized that there is no substitute for the political process.

Political scientists are aware that use of military force can temporarily rectify certain political failures but military rule is not a substitute for healthy governance of a country. The government and the opposition parties must respond to this challenge in a positive manner.

The success of the military operation in my view would depend on a number of steps and I would like to point out some of the major essentials in this respect:

1. The operation must be totally impartial, honest and politically neutral. Helping any group and penalizing others has the potential to destroy the whole operation. Justice cannot be selective. The Interior Minister has expressed apprehensions that certain ministers of his own party might change their loyalty if action is taken against those who are under their protection. Nothing could be more fatal than this type of selective justice. Criminals wherever they are and in whatever political party they may be must be punished. MQM has been responsible for very serious and heinous crimes against the civil population. The workers of the Jamaat-i-Islami and the Islami Jamiyat-i-Talaba, among others, have suffered at their hands for the last six years. Yet we feel that justice must be done even to the workers of the MQM, whether it is the mainstream MQM or the dissident. Whoever has been responsible and directly involved in the politics of violence must be brought to book without any discrimination, Similarly people belonging to any party whether in the Government or in the opposition who had indulged in politics of violence must be punished under law. While impartially punishing those who had resorted to criminal acts is a major target of this operation every care must be taken that innocent people even if they belong to any of the parties responsible for violence, should not be hampered in any way in this process. Similarly, discrimination between groups and using one group against another would affect the integrity of the operation. These must be avoided.

2. Success of the operation would very much depend upon correctness of the information. Earlier mishaps, it seems, had taken place because of failure of communication and misuse of their position by certain vested interests. There are vested interests in police, civil administration and political parties. Army must be conscious about them and must try to build its own direct sources of information for its operations.
3. The process of accountability should remain alive, effective, and open. This means that the press should be free, although responsible. We are faced with a grave national situation and any lapse or show of partiality by the press would be disastrous. Freedom of the press is essential. This is an important avenue of public accountability. Similarly National Assembly and Senate should remain in session in such a manner that they can play their part in keeping the system of political accountability effective. It is very important that public should be kept informed about the operation and their results. This would ensure success of the operation. A lesson that we learnt from earlier military operations in East Pakistan and Baluchistan is that unless army enjoys the confidence of the people and their active support such operation cannot be successful. Army's contact with the people and keeping them informed would help in maintaining this spirit of confidence and cooperation and accountability will further increase people's trust and confidence in the army.
4. Time element is also very important. The operation should be short and swift. If it is over-stretched and prolonged it is going to lead army into a marshy law. It is, therefore suggested that every effort must be made to complete the operation in the shortest possible time, in rural as well as urban areas simultaneously.
5. Army should also take every care to see that the loss of life is kept to the minimum. The long period success of the operation will depend upon capturing the criminals alive and giving them deterrent punishments through courts of law, including special courts established under the 12th amendment.
6. Progress so far in recovery of illegal arms and ammunition and explosives is rather slow. Only a small portion of illicit arms in the hands of the private armies which had been operating in rural and urban Sind for the last decade has been recovered. Capturing illicit arms should be a major target of the operation. Similarly cleansing the jungles as well as the urban localities of the decoits and foreign agents should be a major target. Private armies and underground organizations should be totally uprooted in this operation.

7. It is also important those who have escaped from Sind to Punjab and Baluchistan should be captured and supply lines for arms and ammunition from the rest of the country as well as from India must be sealed.
8. Another point that deserves to be considered by the army leadership relates to effective vertical planning of the operation. It has often been observed that, the rules of the game are clear to the people at the top but things are not that clear with the grass root elements that are in direct contact with the people. Most of the dealings in the operation are made by Non-commissioned Officers, Subedar and Army Jawans. It is important that this grass root cadre should be fully briefed about the rules of the game and the way they should deal with the public. It is their integrity; and sympathetic, behaviour that would win the hearts of the people in favour of the army operation or alienate them from it. This cadre is the real ambassador of the army and as such they should- act in a manner that people feel that they are their saviors and have come into the field to protect them from the decoites and the private armies. I suggest that the government leadership should take serious notice of these submissions.

Finally, while I pray for the success of the army operation, I want to make it clear that the army should exclusively concentrate its effort on the restoration of law and order and only cleansing the souls of decoites and criminals. As far as the social and political package is concerned that is the responsibility of the political parties and the national leadership of the country. It is not the army alone that is on trial. The entire political leadership of the country is also on trial and I hope and pray the politicians would rise above their party interests, think in terms of the national interest only and take effective initiatives to resolve the political crisis, prepare a programme for the elimination of the causes responsible for the problems and arrive at a political arrangement that would cleanse politics of violence and enable the province to be governed according to dictates of the Constitution and principles of healthy politics.

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