**Human Rights Day**

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Last week I attended a “National Seminar” on Human Rights to commemorate the Human Rights Day. Members of the National Assembly and Punjab Provincial Assembly attended this seminar and spoke for 15 to 20 minutes congratulating themselves on the enormous success Pakistan has brought about in human rights. First and foremost, their speeches were replete with religious references, which is to be expected in a theocratic state. However it was their complete and total ignorance of the multifarious nature of human rights violations in this country.

First of all let me state unequivocally that a theocratic state like ours is incompatible with human rights. What happened to Aasia Bibi and continues to happen to other hapless minorities in Pakistan is the logical culmination of the kind of laws that are on our statute books. You cannot even talk about these laws because any legal analysis would ultimately lead to an accusation of blasphemy.

In this space I have written enough times of the unjustifiable persecution of religious minorities, so I do not have to repeat it here. The damnable persecution is so widespread that it has been normalized.

Let us hope there is no such civil war in Pakistan. The Islam in Sudan is a monolith. Islam in Pakistan is not. The civil war that may ensue in Pakistan will be much deadlier than Sudan

Pakistan has ratified and is a signatory to most of the major conventions on human rights, the most important of which is International Covenant on Civil and Political Rights (ICCPR). Under the ICCPR Pakistan would be duty-bound to allow complete religious freedom and freedom of speech. However, as mentioned earlier, Pakistan’s ratification has been made subject to so many reservations that it defeats the very purpose of the covenant. Further more since 2010 when Pakistan ratified ICCPR, there has been no progress on domestic legislation recognizing the rights protected under it. Since Pakistan is a dualist state, it needs domestic legislation like a Human Rights Act to implement ICCPR. This is not going to happen as long as our politicians claim that everything is hunky dory and that it is India, which violates human rights. Here is a truth that may be plainly put. India’s human rights record is woeful but even so, the human rights situation in that country is 100 times better than our theocratic state. As a Pakistani patriot this is a painful realisation but any honest person has to accept
this reality.

The Constitution that Dr Ambedkar gave, and Ambedkar was an enemy of the Congress Party mind you, is one that will for ages protect Indians regardless of religion, caste or creed. It is a citadel against ancient dark forces that afflict the Indian society. Meanwhile other than Jinnah’s 11 August speech we have nothing. As long as he was there, he was a bulwark against reactionary legislation. Every action we have taken since 11 September 1948, the date that the old man died, has been a step towards a denial of fundamental human rights.

Objectives’ Resolution was the first blow. Nomenclature of the 1956 Constitution and the bar on the office of the President was the second. 1973 Constitution for all practical purposes buried fundamental rights altogether despite retaining hypocritically a chapter on fundamental rights. Taking the right to self identify in 1974 opened a door we should never have opened. Whatever edifice remained was destroyed by General Zia’s military dictatorship. The point is that Pakistan has absolutely no right to point fingers at India given that Pakistan has been doing this for decades and even at its worst moment in history, India is and is likely to remain better than Pakistan because of the simple reason that India is not a theocracy.

Sudan- another theocracy not different from ours- became a secular state in September this year. Religion and state has been separated. When I was in College, I remember the Sudanese students to be the most “pious”. They would look at us Pakistanis in horror at our refusal to fit in with their ideas of religiosity. Not many have considered the implications of the Sudanese conversion to secularism but it will have ripples all over the Islamic World. If a country like Sudan can do it, so can Pakistan. Sudan did it because the Sudanese have realised that their democratic aspirations and human rights are incompatible with theocracy. The road went through the stony path of a deadly civil war. Let us hope there is no such civil war in Pakistan. The Islam in Sudan is a monolith. Islam in Pakistan is not. The civil war that may ensue in Pakistan will be much deadlier than Sudan. With the horizontal and vertical religious and ethnic divisions the only possible solution for Pakistan is to become a secular and democratic federation of autonomous constituent units. Powers that be will not allow it till enough damage is done.