

NAVIGATING CIVIC SPACES DURING A PANDEMIC: PAKISTAN REPORT

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PAKISTAN

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List of Acronyms

CBC	Cantonment Board Clifton
DHA	Defence Housing Authority
FC	Frontier Corps
FIA	Federal Investigation Agency
GHA	Grand Health Alliance
HBWWF	Home-Based Women Workers Foundation
HRCP	Human Rights Commission of Pakistan
IED	Improvised Explosive Device
IG	Inspector General
IMF	International Monetary Fund
ISI	Inter-Services Intelligence
JUI (F)	Jamiat Ulema-i-Islam (Fazl)
KI	Kissan Ittehad
KP	Khyber Pakhtunkhwa
KUJ	Karachi Union of Journalists
LHW	Lady Health Workers
MTI	Medical Teaching Institutes
NCOC	National Command Operation Center
NDMA	National Disaster Management Authority
NTUF	National Trade Union Federation
PCIC	Provincial Coordination Implementation Committee
PDA	Pakistan Democratic Alliance
PECA	Prevention of Electronic Crimes Act
PEMRA	Pakistan Electronic Media Regulatory Authority
PFF	Pakistan Fisherfolk Forum
PFUJ	Pakistan Federation Union of Journalists
PIDA	Pakistani Islands Development Authority
PML (N)	Pakistan Muslim League (Nawaz)
PPE	Personal Protective Equipment
PPP	Pakistan People's Party
PSM	Pakistan Steel Mills

PTA	Pakistan Telecommunication Authority
PTI	Pakistan Tehreek-e-Insaf
PTM	Pashtun Tahaffuz Movement
SAC	Sindh Action Committee
SNC	Single National Curriculum
SOPs	Standard Operating Procedures
TLP	Tehreek-i-Labaik Pakistan
VAW	Violence Against Women
VBMP	Voice for Baloch Missing Persons
WHO	World Health Organization

Summary

The Covid-19 pandemic exacerbated trends in civic spaces underway before 2020 in Pakistan, reinforcing the state's on-going deep discomfort with rights-based actors and mobilizations whilst allowing the divisive rhetoric and mass gathering of sectarian forces to flourish. The crisis afforded some new opportunities, too. Diverse interest groups gained recognition of some rights or tried to stave off further hardship during the economic downturn. Digital spaces became an increasingly powerful arena for activism and dissent. They were also targeted by security agencies, as women journalists who reported against the government's narrative on its Covid-19 response discovered.

This report shows how different actors responded to the pandemic in ways that affect civic spaces. The research identified areas of civil society which underwent some forms of public mobilization, whether through articulating new or ongoing claims, forming new associations, or using innovative strategies to respond to shrinking civic spaces. The discussion captures new forms of social and political action, in particular the opposition political alliance (Pakistan Democratic Alliance) formed in September, 2020. It ends with an assessment of the implications of these changes in civic spaces for the governance context in Pakistan.

We used innovative qualitative research tools and media tracking during the period June-December, 2020. We held six monthly online discussions with an observatory panel of experts from across Pakistan. The team conducted 14 key informant interviews, mainly online, with actors working with civil society in the sectors of health, education, human rights, media, trade unions and peasant associations. Online media sources were tracked, drawing from mainstream English language press, two Urdu and Sindhi online news sources, and social media, to identify key events as they happened, building a repository of almost 700 articles to inform the analysis.

The paper is structured as follows: it begins with an introduction of the timeline of Covid-19 spread and state measures to curb it. The second section presents our main findings thematically, based on areas in which significant events took place during the period under review. These are (a) crisis in the health sector, (b) marginalization of religious minorities, (c) education and 'controlling the narrative', (d) missing persons protests, (e) media, (f) violence against women, and (g) labour and livelihood. Findings are presented in terms of the main events, actors, forms of association, strategies, claims and contestations, and state response. The third section outlines the measures that government deployed or planned to regulate civic spaces during 2020. The concluding section situates the research findings in the broader political context and presents implications for governance in the near future.

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This report provides an overview of how different actors responded to the pandemic in ways that affect civic spaces. The research identified areas of civil society which underwent some forms of public mobilization, whether through articulating new or ongoing claims, forming new associations, or using innovative strategies to respond to shrinking civic spaces. The discussion sheds light on new forms of social and political action, in particular the opposition political alliance (Pakistan Democratic Alliance) that was formed in September. It ends with an assessment of the implications of these changes in civic spaces for the governance context in Pakistan.

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I. The Government Pandemic Response

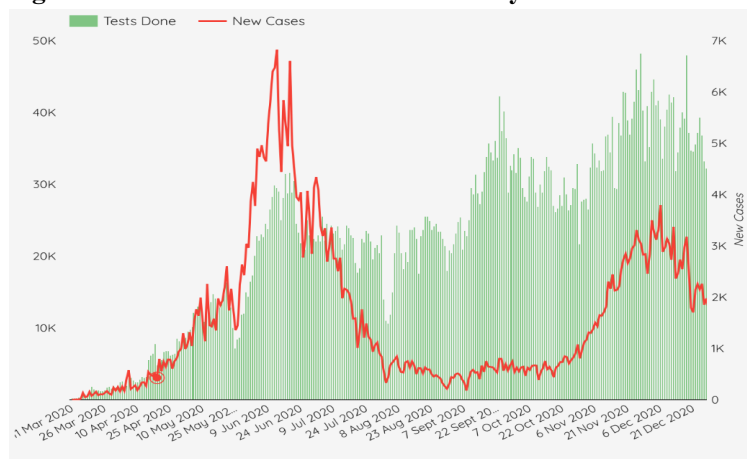
The first two cases of Covid-19 in Pakistan were identified in the capital Islamabad and its largest city, Karachi, in the south, at the end of February. By mid-March, cases emerged in the western province of Balochistan, amongst those who returned after performing religious pilgrimages in Iran, and in Lahore, capital of Punjab, the country's largest province. The federal government suspended domestic flights as the first deaths were recorded. The Sindh government was first to impose full lockdown at the end of March in the province, followed by Balochistan, Khyber Pakhtunkhwa (KP) and Punjab provinces. Schools, businesses and public transport closed for an unspecified time, testing facilities set up in major hospitals, quarantine accommodation hastily allocated in each province for infected travelers returning to the country, and camp hospitals built to accommodate large numbers of expected patients.

Cases continued to rise during the first lockdown period, but at a relatively slow rate. In mid-May with a new policy of partial lockdowns in all the provinces (including compulsory mask wearing), cases rose faster until they peaked in mid-June. WHO identified Pakistan as the second hardest hit country in South Asia and with the fourteenth highest global case count. Its highest test positivity rate of 25.7% was recorded on 2nd June, and reported the highest number of daily new cases in the world on 14th June (6,825), after which the count began to decrease.¹

The number of deaths attributed to Covid-19 remained below 6,000 during the first wave and its immediate aftermath in July. This allowed government to claim success for its pandemic management and ease lockdown measures. Even as cases were still increasing, measures began to ease in May as the government expressed concerns over the economic impact and inevitable poverty outcomes of the control measures. It switched to ‘hotspot’ lockdowns, mandatory imposition of SOPs, and test and tracing strategies to control disease spread whilst cases continued to increase.² The public, on the other hand, believed that the battle against Covid-19 was won. After the month of Ramzan ended in May 2020, Eid celebrations added to virus spread.³ By August 2020 the lockdowns were over and people broadly resumed normal life.

But the second wave was sure to come. It began with a slow uptick in cases in September, gathering momentum during November until it reached 2,829 new daily cases on the first of December, according to official statistics.⁴ Obituaries of prominent individuals lost to Covid-19 began to appear in the newspapers again as the daily death count increased, and the Chief Minister of Sindh tested positive and went into isolation. This time, though, official figures did not seem to match anecdotal, or even media observations about the extent of disease spread. Medical doctors publicly issued calls for the public to obey mandatory SOPs as more health practitioners died of Covid-19 and hospital beds filled to capacity again.⁵

Figure 1. Number of Covid-19 tests & daily new cases



Source: Government of Pakistan, 2020, Pakistan Cases Details. www.covid.gov.pk

The federal government established a new National Command Operation Center (NCOC) to synergize and articulate unified national effort against Covid-19. It includes military officers

and is chaired by the minister of defense. Rather than using the National Disaster Management Authority which was established after earthquake and flooding disasters over a decade ago, the government decided to set up NCOC. The NCOC stopped widespread Covid-related data collection and dissemination in early April, leaving the public less informed from independent sources. Thus, a leading civil society group concluded the pandemic response at the federal level is over-centralized and allows for a direct role of military officials.⁶

The government messaging on pandemic control measures was mixed at best. Prime Minister Khan insisted that lockdown would cause more economic hardship to the poor than it was worth, putting him at odds with leaders and public health officials who wanted to impose harsher measures during the initial weeks of the pandemic, and later when the second wave began. Mask-wearing was made compulsory during May 2020 but federal and provincial governments all had little appetite for implementing SOPs, only sporadically imposing fines or closing shops for violations.

During the first wave the federal government injected additional funds into its existing social protection Ehsaas programme to provide cash payments to vulnerable families impacted by the lockdown measures. Media awareness campaigns, including messages administered through mobile phone networks and television, raised public understanding about virus spread. Limited testing facilities, though, made it difficult to assess the efficacy of public health interventions when the true spread of infection amongst the population was not known.⁷

The federal and provincial governments could not forge a cohesive pandemic response to work effectively together to prevent disease spread and share information and resources. As Sindhi activist Sohail Sangi put it, “At many places the ruling party, its leadership and allies made every possible attempt to violate the restrictions of lockdown. Because of that common people were trapped in two narratives: one was of Sindh government and of WHO, while the second was promoting that [Covid-19] wasn’t something serious and not much different from a casual cough and flu.”⁸

The federal government suggested the blame for weaknesses in pandemic response measures rests with the provinces. These tensions played out mainly in the province of Sindh, which has the only provincial government not led by the ruling party. The Prime Minister initially opposed lockdown arguing it would cause extreme economic hardship and starve the poor. The Sindh government went ahead and implemented lockdown first among the provinces and most strictly. The federal government attributed Sindh’s higher Covid-19 cases to mishandling of the outbreak, although our interviews suggest the numbers were linked with more frequent testing and openness with data. The significantly more populous province of Punjab reduced testing during the first wave and recorded fewer cases.

Table 1. Total Covid-19 Cases & Deaths by Province⁹ [23 Dec 2020]

Province	Population [millions]	Covid-19 Cases	Deaths
Punjab	110	133,179	3,732
Sindh	47.9	206,489	3,379
Khyber Pakhtunkhwa	35.5	55,811	1,563
Balochistan	12.3	17,980	179
Islamabad Capital Territory	2	36,483	394
Azad Jammu & Kashmir*	4	8,040	211
Gilgit-Baltistan*	n/a	4,832	99
Total	205.7	462,814	9,557

*These are disputed territories, not counted in population total.

Source: Wazir and Goujon, 2019, p.5.

Inconsistent policies from the center hit Balochistan hard, although the ruling Pakistan Tehreek-i-Insaf (PTI) party is in government in that province. The federal government refused assistance to the Balochistan government during March and April 2020 to provide rations to the poor under lockdown, deepening the economic crisis by keeping its borders with neighboring Afghanistan and Iran closed to prevent the spread of Covid-19. Four thousand returnees from Iran at the border town of Taftan were kept in federally-managed quarantine accommodation, from which many fled reportedly due to unbearable conditions. Its mixed messaging on lockdown created confusion, which panelists believe added to ethno-sectarian prejudice with some segments of the public blaming Shias and ethnic Hazaras for bringing Covid-19 to Pakistan.¹⁰

In August 2020 unexpected heavy monsoon rainfall triggered floods around much of rural Pakistan and extensive urban flooding in Karachi. The NDMA struggled to cope with new emergency relief measures. Pandemic management took a temporary backseat. Leader of the Pakistan Trade Union Federation, Nasir Mansoor explains, “Sindh was hit by a third disaster of rain, after IMF and Covid.”¹¹

The army came under renewed criticism when elite precincts of Defence Housing Authority (DHA) and Clifton were subjected to some of the worst damage. Hundreds of angry protestors staged a sit-in outside Cantonment Board Clifton’s (CBC) office complaining their houses were submerged with rainwater and they were without basic utilities.¹² Excessive media interest in the rain emergency in Sindh focused on the lack of preparedness for urban flooding in Karachi, adding to tensions between the federal and provincial government.

The government was unwilling, or unable, to rein in religious gatherings and protests during the lockdown. During the first wave in Punjab, the Tableeghi Jamaat, one of the largest proselytizing Islamic organizations in the world, was allowed to hold its annual congregation in Raiwind, which became a super-spreader event. As the second wave rose, sectarian

protests by the Tehreek-i-Labaik Pakistan (TLP) brought together hundreds of thousands in Karachi, Islamabad and Lahore, even at the funeral of TLP leader Khadim Hussain Rizvi who is suspected to have died of Covid-19. Thus, when PDM leaders launched a series of anti-government protests despite pandemic control measures and warnings of potential disease spread, they were able to cite the federal government's inconsistent policies in their own defence.¹³

During October 2020, Pakistan entered the second wave of the pandemic and measures to control public life are beginning to increase. It was praised for controlling the virus in the first phase when Imran Khan touted the country as a success story in the global fight against the pandemic. During his address to the UN General Assembly in September 2020 he highlighted the government's relief package and smart lockdown strategy that helped control the virus and stabilize the economy.¹⁴ As education institutions, public places, marriage halls etc began to open up, the cases also started rising and the country is now officially moving towards its second wave with an average of 1,300 cases per day. NCOC issued a lockdown warning and called for better compliance with Covid-19 SOPs.¹⁵ Mini and smart lockdowns were imposed in different districts in Punjab.¹⁶

As the second wave gathered force in November 2020, workplaces were asked to have 50 percent office staff and masks became mandatory, this time with a fine for non-compliance. After the Gilgit-Baltistan elections, but before the major opposition rallies, a ban on public gatherings was imposed. The number of guests permitted at private events came down to 500.¹⁷ Karachi traders resisted reduced business timings as shops struggled to make up for annual losses during the busy holiday season.¹⁸ Education institutions, most of which had opened, were closed from the end of November 2020 until mid-January 2021 after a series of outbreaks in different parts of the country.¹⁹ With the start of winter wedding and holiday season in December 2020, it was inevitable that cases would continue to rise into the new year.

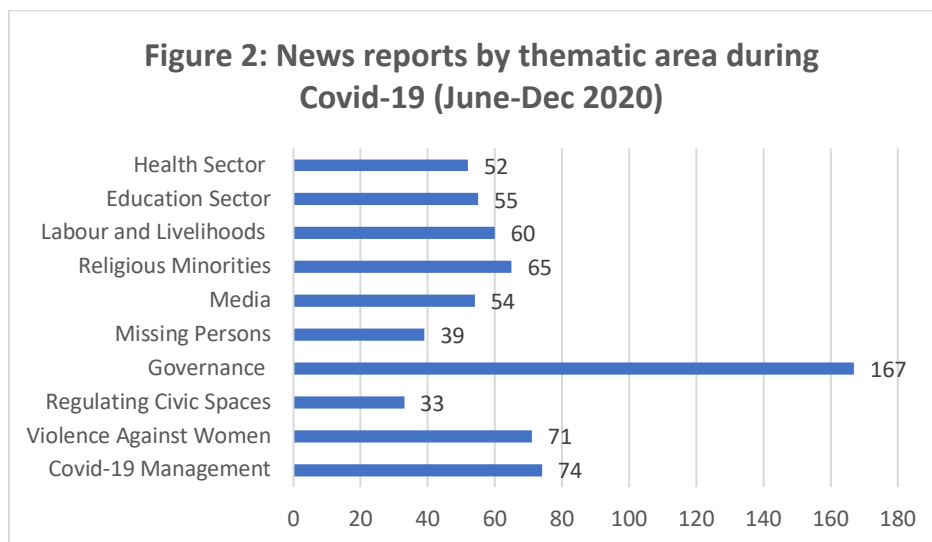
II. Civil Society under Covid-19

We used innovative qualitative research tools and media tracking during the period June-December, 2020. Six monthly online discussions were held with an observatory panel of experts from across Pakistan.²⁰ We supplemented the panelists' real-time insights into ongoing developments by 14 key informant interviews, mainly online, with actors working with civil society in the sectors of health, education, human rights, media, trade unions and peasant associations. We tracked online media sources, drawing from mainstream English language press, two Urdu and Sindhi online news sources, and social media, to identify key events as they happened.

Our tracking of formal media sources and social media posts created a repository of 700 articles about events in civic space from June through December 2020. We inductively coded the reports about events during the media tracking process to draw out the thematic areas which saw contention, debate or protest. Figure 2 illustrates the number of news reports in

each of these thematic areas. Most media coverage (167) pertained to issues around governance – tensions between the federal and provincial governments, politicians, and political parties, exacerbated by the pandemic and its impact on society. Issues around the pandemic management also featured prominently (74), while the other areas in which significant events took place affecting civic spaces received more modest attention in the media.

None of these areas are new. Contestations and claims within civil society around violence against women, regulations affecting civic spaces, enforced disappearances (missing persons), the marginalization of religious minority communities, media freedom, have been areas of significant mobilization for many decades. During 2020, civic spaces became re-energized as the impact of Covid-19 deepened existing vulnerabilities. We saw protests around labour and livelihood rights as jobs became threatened, students claims for support and space in educational institutions, and health workers demands for protection and benefits as they struggled to cope with the added disease burden.



The discussion below presents our findings thematically, with additional insights into the events, claims, and contestations drawn from our key informant interviews and observatory panel discussions.

A. Crisis in the Health Sector

The pandemic opened wide the agenda of an already agitated sector of the workforce – the health service providers. Two groups of providers (medical doctors and community health care workers) were already engaged in ongoing collective action to secure the conditions of their employment before the pandemic struck, lending greater urgency to their protests as government continued with its plans to privatize public hospitals and failed to protect frontline service providers with adequate protections from infection. Other providers are raising their voices now too, including nurses and medical students, suggesting these protests

may coalesce across the health sector in 2021. The strategies deployed include the threat of strikes, street protests, press conferences, and court petitions.

Health-care providers at all levels began to report outbreaks of Covid-19 infection amongst the healthcare workforce in May 2020.²¹ Doctors in Sindh pleaded for stricter lockdown measures in April to ease the burden on healthcare facilities²² in what would be a regular series of appeals to government and public throughout the year to take the pandemic more seriously and spare doctors' lives. By June, 1,200 doctors, 333 nurses and 628 paramedics had contracted the virus.²³ Government was unable to provide adequate personal protective equipment (PPE) and monitor SOPs in public and private healthcare facilities, so doctors turned to NGOs for supplies.²⁴

The pandemic added fuel to doctors' campaign against the privatization of medical colleges and public hospitals, which is planned as part of the IMF mandated reforms in the provinces.²⁵ Doctors argued privatization would make healthcare less accessible to the poor, and endanger their job security as government employees.²⁶ The province of Punjab was the first to pass the Medical Teaching Institutes (MTI) Reforms Act in March, 2020. Paramedical staff, nurses and young doctors joined forces in The Grand Health Alliance (GHA) in opposition to this law and to prevent similar moves in the other provinces.

As the pandemic rolled on, so did the protests. One GHA doctor complained they were being sent without PPE to the frontline to save patients, although soldiers are equipped for the battles they must fight.²⁷ Doctors and nurses protested against physical assaults by angry patients prevented from seeing infected or dead relatives in hospitals. They protested against the lack of PPE; demanded compensation for sick and dead amongst their cadres, and called for improved budgetary allocation for the health sector.²⁸ They even staged token strikes in outpatient departments and in hospital wards, including Covid wards.²⁹ Whereas in the city of Quetta the police arrested protesting healthcare providers,³⁰ in Lahore the government agreed to negotiate with GHA doctors holding a sit-in to demand PPE, regular screening of providers, and a risk allowance.³¹ In Karachi, a government official agreed to negotiate with staff from a maternity hospital salaries refusing to work until they were paid.³²

Government tried to fill the demand for nurses to manage the Covid-19 emergency in hospitals, by hiring additional nurses. They, too, soon spoke out against lack of PPE and non-payment of salaries.³³ When dozens became infected with the virus in May they staged a sit-in in Karachi.³⁴ By October, nurses joined the Lady Health Workers (LHWs) major protest in Islamabad.³⁵

LHWs are Pakistan's front-line community health workers, providing vaccinations, contraception and maternal health screening in rural and peri-urban sites. They have formed successful associations to improve their employment conditions since 2010. LHWs hold strikes, sit-ins and file legal petitions to demand salary raises, integration into the government service structure, and other benefits.³⁶ During the pandemic, they were expected to carry out

their duties without adequate PPE, and given a limited health risk allowance.³⁷ Because contraceptive supplies ran out soon due to global supply chain disruptions during the summer, LHWs were unable to meet the demand in the communities they serve.³⁸ In October 2020 thousands held a sit-in for seven days in front of the National Assembly in Islamabad to demand improvements to their service structure and employment benefits, along with life insurance and greater security during their outreach work. Government promised to meet their demands in the coming months.³⁹

The federal government has announced unpopular changes to the examination structure and licensing system for medical students.⁴⁰ Medical experts say the new regulations would undermine students' learning and add to their financial burden.⁴¹ Infuriated students filed a petition against Pakistan Medical Council and after vigorous online activism the Sindh High Court delayed the medical school admissions exam. Students and members of the Young Doctors' Association staged protests against the new date because of rising Covid-19 cases in the country.⁴² The exam took place anyway, but students filed another petition questioning its authenticity and legality and demanding a re-test, which was still pending at the time of writing this report.⁴³

B. Marginalizing Religious Minorities

Pakistan is predominately Sunni Muslim, approximately five per cent of the population are Christian, Hindu, Parsi, or Sikh, although the exact numbers remain unclear.⁴⁴ Ahmadiyyas consider themselves to be a sect of Islam but are classified as a religious minority. They are increasingly persecuted since a constitutional amendment in 1974 declared them non-Muslims after a long campaign by religious organizations and parties. Shias constitute an estimated 20 per cent of the country's mainly Muslim population. In recent years thousands have died in violent sectarian attacks from extremist groups,⁴⁵ who believe Shias are *kafirs* (unbelievers) and call upon the state to declare them non-Muslims. The growing sectarianism in public and religious discourse has led to growing persecution against Shias. During 2021 the vulnerability of all these religious groups continued to deepen, as evidenced by an increase in use of blasphemy laws to target their communities, the mobilization of sectarian political forces, and anti-Hindu practices.

Weaponising the blasphemy laws

During the 1980s, the state passed a series of increasingly harsh laws to punish blasphemy against Islam, as part of the Islamization policy under military rule General Zia ul-Haq. These laws are used to settle scores or blackmail vulnerable members amongst all faiths, Muslims included. Lower courts have passed a number of death sentences against individuals from religious minority communities accused of blasphemy, although none have been carried out. While a few progressive political leaders, intellectuals and activists call for reviewing the laws, the issue is dangerously politicized. In 2011, when the Governor of Punjab suggested a review of the laws after a Christian woman was sentenced to death for blasphemy, he was

assassinated. The assassin was later given the death penalty, yet he remains publicly revered as a martyr who served the cause of Islam.⁴⁶ Academic Arfana Mallah argues the blasphemy law is often used “by powerful religious groups, state institutions and the invisible forces to silence and scare the people.”⁴⁷

Our event tracking from June to December 2020 revealed during the pandemic’s first six months blasphemy accusations and vigilante actions against individuals increased. The government appeared unsure whether to condemn or condone the rise in cases. For example, some politicians praised a man for murdering a mentally unwell individual attending a court hearing in Peshawar on blasphemy charges. An educated urban-based woman ran a Twitter campaign to assassinate another person accused of blasphemy, without legal consequences. Religious extremists charged Sindhi cultural figures with blasphemy, with possible political motives. A Sindhi university professor was charged with blasphemy, as was Arfana Mallah when she spoke out in his defense.⁴⁸ A politician from the ruling PTI filed a blasphemy complaint in July 2020 against Khwaja Asif, an opposition politician, for saying that all religions are equal.⁴⁹ A fresh wave of accusations against Ahmadiyyas led to more vigilante murders.⁵⁰

September 2020 began with thousands protesting all over Pakistan against French magazine Charlie Hebdo’s reprinting of cartoons mocking Islam. These were organized by the Tehreek-i-Labaik Pakistan (TLP), an extremist religious party, whose members charged the re-printing of these cartoons amounts to “big terrorism.”⁵¹ TLP leader Khadim Hussain Rizvi led a large protest sit-in outside the capital Islamabad. Two days later TLP leader Khadim Hussain Rizvi developed high fever and shortness of breath; he died without being tested for Covid-19.⁵² His funeral the next day (21 Nov 2020), in Lahore, was attended by hundreds of thousands of mourners despite government guidelines against large gatherings.

The federal government clearly accommodated TLP’s protest against the Hebdo cartoons despite the sectarian and extremist nature of the group. It ignored an order from the Islamabad High Court that the right to protest and assembly should not cause disturbance to citizens.⁵³ Its ministers reached a deal with TLP to end the Islamabad protest by promising to expel the French ambassador in the next three months and releasing the workers who staged the sit-in.⁵⁴ The Punjab government helped to arrange his funeral attended by hundreds of thousands of mourners who ignored SOPs.⁵⁵

Anti-Shia Sectarianism

One of the initial entry points for Covid-19 was its western border in Balochistan, which serves as a crossing point for Shia pilgrims from Pakistan to visit holy shrines in Iran. A quarantine camp set up at the border crossing of Taftan became a hotbed of cases. This led to a proliferation of hate speech in social media, blaming Shias and the tiny ethnic Hazara community for bringing the pandemic to the country.⁵⁶ The Hazara community is largely Shia. For over a decade they have been specifically targeted through bomb attacks and

assassinations by sectarian forces. Due to their perceived ties with Iran, they were among the Shias initially blamed for the spread of Covid-19. Many returnees were put in government quarantine centers, along with other pilgrims, but confined for longer periods and subject to mistreatment.⁵⁷ The Balochistan government asked Hazara employees not to come to work, citing caution but clearly targeting the Shia community.⁵⁸

August 2020 was the month of Muharram in the Islamic lunar calendar, during which Shia Muslims carrying out mourning processions on the streets. Rising sectarian tensions led to a surge in blasphemy cases against Shia clerics, procession leaders, and those hosting religious gatherings (*majlis*) in mosques or their homes.⁵⁹ Police even registered a case against a three-year old child for hosting a *majlis* in his house.⁶⁰ At least 42 blasphemy cases were registered during the month, mostly against Shia Muslims.⁶¹

The increase in cases may have contributed to sectarian behavior amongst the wider population. A teenager in Mansehra, a town in Khyber Pakhtunkhwa province in the north-west, was coerced to profess his allegiance to the Sunni sect and declare followers of other Muslims sects to be infidel, all this under police observation.⁶² A Sunni supremacist militant group targeted a young Shia man by firing at his car.⁶³

The government did not take sufficient action to counter this momentum, despite some initial measures during September 2020. The Pakistan Electronic Media Regulatory Authority (PEMRA) suspended the license of a television news channel for airing allegedly blasphemous remarks during a special Muharram transmission. The channel's CEO was booked under the law for inciting hate, after which he issued an apology saying the editorial board failed to exercise sufficient control.⁶⁴ Special cells of the Punjab Police monitoring religious gatherings, and social media websites (Facebook, Twitter and YouTube) took over a hundred clerics into custody for promoting sectarianism, and registered cases against them.⁶⁵ The Human Rights Commission of Pakistan (HRCP) demanded more decisive steps to ensure the state upholds all citizens' right to freedom of religion and belief. It asked the police stop registering blasphemy cases so swiftly as such complaints are often fabricated and based on personal vendettas.⁶⁶

Thousands of anti-Shia protestors linked to Sunni extremist groups e.g. Sipah e Sahaba (a banned anti-Shia militant organization) joined by TLP were permitted to rally in urban centers to further their agenda to have Shia Muslims declared infidels.⁶⁷ The rallies were triggered by yet another blasphemy accusation against a Shia leader during a *majlis*.⁶⁸ This was the first time three prominent Sunni Muslim groups - Deobandi, Sufi Barelvi and Salafi – all held public rallies in a single week.⁶⁹

Persecution of Hindus

In June 2020, the federal government acted upon a recommendation by the National Commission for Human Rights and directed a Hindu temple be built in the capital city

Islamabad. This episode, and the manner in which it was mishandled, highlights the extent of the state's reluctance to safeguard and nurture religious freedoms and discourse. First, a local resident filed a court petition against the move, arguing that it violated the city's master plan.⁷⁰ Next, the government sought to avoid a growing political controversy, with some opposition politicians joining in to criticize the construction, by referring the matter to the Council of Islamic Ideology.⁷¹ (This is an advisory body whose role is to advise the state's laws and policies to help them remain in consonance with Islamic teachings. It is responsible for drafting discriminatory laws and advocating policies against religious minorities and women in the name of Islamizing Pakistan.⁷²) Religious leaders favoured building the temple elsewhere, and a government spokesman suggested creation of an 'interfaith enclave' to house non-Muslim places of worship in the capital. A ruling party politician meanwhile charged an opposition politician with blasphemy for commenting that all religions should have equal importance.⁷³

The August 2020 floods damaged property and livelihoods in rural Sindh, where a majority of Pakistan's small Hindu population reside. Humanitarian relief through welfare organizations during disasters is commonplace, however they have been accused of discrimination against non-Muslims on occasion during relief distribution. In the following months, civil society protests broke out in some small localities in Sindh's eastern districts, charging that relief workers were reluctant to provide goods to the local Hindu population, prompting politicians to promise to look into the problem.⁷⁴ Even at the Sindh provincial level, political parties are reluctant to pass laws to protect minorities from forced conversion due to fear of the religious right. Reluctance amongst Muslim Sindhis to speak out in support of Hindus is also a new phenomenon, linked with increase in right-wing actors around the province. One key informant suggested that Covid-19 provided a golden opportunity to act against these trends by bringing government, administration and civil society together, but it was missed because 'unfortunately our society is losing its sense of social responsibility.'⁷⁵

C. Education Sector and 'Controlling the Narrative'

The pandemic and subsequent lockdowns have brought to the surface festering tensions and issues in the education sector in Pakistan. Live debate, advocacy initiatives and protest actions persisted during the period under review despite restrictions on public assembly and media coverage. The main issues and contestations were related to academic freedom, resources for higher education, the digital divide, harassment on campuses, students' right to form association, and provincial quotas in public sector universities.

The pivot to online higher education under Covid-19 exposed inequalities in access to education in new ways, and our panelists made a number of observations about this. The levelling effect of the university space has been lost, as have the facilities for studying afforded by hostel accommodation. The digital divide limits access for students who attend public universities and live in rural areas. Many cannot connect to the internet from their homes. In rural areas of Sindh, students crowd onto buses to attend online classes in the nearest town with internet access. With hostels closed, some rent crowded rooms in small

towns to attend in person classes or access internet. Girls living at home again are pushed into domestic duties that prevent them attending online classes. Students from low income homes are reluctant to reveal their settings on video during online sessions, affecting their ability to participate. In Balochistan, schools and colleges in districts affected by the nationalist insurgency and army clampdown are regularly closed, and internet access almost non-existent for security reasons. Even for teachers, e.g. mothers with small children, they have lost the equalizing space in which they can carry out work unhindered by domestic responsibilities. The ways in which these divides are affecting students also undermine the very SOPs put into place for their protection from Covid-19.

During the two years preceding the pandemic, university students across Pakistan held Student Solidarity Marches to demand the restoration of student unions in universities, higher budgets, accountability for sexual harassment. They are increasingly supported by an active Teachers' Association that calls for enhanced freedom of academic expression on campuses and numerous civil society organizations. The students' demands are reminiscent of the left/progressive student activism in the 1960s that led to the overthrow of the military-led government. To counter their voices, new campus-based groups emerged in support of right-wing causes, e.g. State Youth Parliament and Friends of the Pakistan Army. Interviews suggest student members of these groups report to intelligence agencies about the activities of progressive students and teachers, purportedly to protect the religion and ideology of Pakistan. Some members of the new groups were involved in blasphemy accusations against professors in Sindh during the summer.⁷⁶

After a well-known Sindhi scholar and university professor was arrested for blasphemy, possibly motivated by a political dispute, the President of the Sindh University Teachers' Association spoke out in his defense.⁷⁷ Professor Arfana Mallah, who is also a women's rights activist and prominent supporter of the restoration of student unions in universities, called for reforming the blasphemy laws. A right-wing religious party threatened to file a blasphemy case against her if she did not retract her comments. The same party had unsuccessfully petitioned the courts to block the Women's March from being held in Sindh in March 2020, alleging the feminists violate religious and cultural norms.⁷⁸

Mallah was forced into hiding after death threats, and soon apologized for her statement through an online video message a few days later.⁷⁹ She recalls,

Twenty-two parties united against a single woman - Shia, Sunni, Wahhabi and Deobandis, who in normal circumstances do not consider each other Muslim [but] were united in my case. Initially, I decided to register a harassment case against them as we were deprived of breathing space but later I reached the conclusion that here you have to either pay the price of being with your life or you have to follow their code of conduct.⁸⁰

Women's groups, the Sindh Human Rights Commission, progressive political organizations together called for her protection and the charges to be dropped.⁸¹

During September and October, students in Punjab protested against the 2018 reduction of quotas for students from other provinces in public sector universities. They charged that the new policy is a deliberate attempt to prevent students outside Punjab from building support for Pashtun or Baloch nationalism on its campuses. Students from Balochistan held a long march to Punjab, which generated interest and support on social media but received minimal coverage in mainstream outlets due to government restrictions on coverage of dissident voices.

The annual Student Solidarity March took place in Lahore and other cities in late November. Protestors followed all SOPs and peacefully communicated their demands related to the revival of student unions, harassment committees on campuses and internet provision throughout the country for all students.⁸² Activist and member of Haqooq e Khalq Movement Ammar Ali Jan helped organize the march and mobilized students to demand a higher education budget, revival of student unions and an end to sexual harassment on campuses.⁸³ Right after the protest, a case was registered against him as a “potential danger to public peace, law and order situation”.⁸⁴ Under Section 3 (power to arrest and detain suspected persons) of the Maintenance of Public Order Ordinance, the activist was to be arrested for 30 days.⁸⁵ The order said he was a “symbol of frightens” which became a popular Twitter hashtag for civil society members demanding justice for the activist.⁸⁶ The Chief Justice of Lahore High Court suspended the notification against him and called the detention order an unconstitutional attack on civil liberties and an example of political victimization.⁸⁷

The disruption to students’ education may add momentum to an organized student movement in the future. Student leader Rai Ali observed that student unions have been banned for the last forty years; an acknowledgement of the role of progressive students in overthrowing the military regimes of Ayub Khan in 1969 and protests against General Zia ul-Haq’s government during the 1980s.⁸⁸ Despite the pressure from intelligence agencies to end their protests, the state will be unable to stop them if students across the country are united in their demands, in his view. The Student Solidarity March began to voice the demands of other vulnerable groups, too; in Lahore over a thousand poor rural workers joined the 2020 March. Students also participated in the 2020 Aurat March, an expression of their support for feminist causes, in particular the issue of sexual harassment on campuses. They planned to protest again in 2021 if their demands are not met.

Small groups of students in other parts of the country protested against the haphazard and inconsistent policies in education related to Covid-19. Bahria University students in Islamabad were forced to appear on-campus for their mid-term examinations amidst rising Covid-19 cases in the country and lack of hostel facilities.⁸⁹ They demonstrated in front of the Islamabad Press Club and carried out digital protests through Twitter hashtags, #BahriaUniversity and #NoOffCampusExams.⁹⁰ Marvi hostel in Sindh University was sealed after some students tested positive but before the female students could remove their belongings, leading them to protest too.⁹¹

Curriculum Reform

The PTI government promised to reform the education sector when it came to power in 2018, by making it more culturally appropriate and standardizing the curriculum to overcome the class divide which favors English-speaking private schools and disadvantages those who study in government-funded institutions.⁹² Punjab Assembly passed a bill in July to ban all books that do not contain a specific reference to the Prophet's finality (in the line of Prophets), which would effectively take out of circulation many English-language social science material currently taught. Civil society groups wrote press articles, circulated petitions, and submitted a letter to the provincial assembly to raise their concerns about the bill.⁹³ Shia religious leaders pointed out that the proposed legislation would lead to sectarian conflict, which led to some backtracking by ruling party.⁹⁴

Meanwhile the federal government announced it was ready to bring in a new Single National Curriculum (SNC) to give all Pakistanis access to the same quality of education and reduce the disadvantages faced by lower socio-economic groups in their schooling.⁹⁵ The actual content of the whole SNC was not released, prompting a Right to Information petition from civil society groups. The SNC created enormous media attention and debate; civil society groups and education experts debated its merits in webinars, and television channels held panel discussions with government representatives who defended the initiative.⁹⁶

The core of the reforms is the inclusion of hefty amounts of Islamic/Quranic content into the primary school curriculum, to be overseen by people trained in the *madrassas*, or religious seminaries. Critics viewed the move as part of a deal between the government and *madrassas*, in return for incorporating part of the SNC they will get a presence in government schools, in effect a continuation of General Zia's Islamization measures. Other reforms are absent, such as the much-needed higher budgetary outlay for education, increased expenditure on teacher training, and building of additional schools.⁹⁷ Education experts argued since government quietly gave permission for elite private schools to retain their internationally accredited curricula, the purpose of the SNC was already defeated.

The public debate continued through August, forcing government to defend its position at multiple forums. During an online session, an advisor to the government claimed 400 curriculum experts approved the SNC, although at least one of the academics mentioned in the list denied that he was part of the committee.⁹⁸ Critics from civil society groups said SNC was a move to centralize the state by pushing the idea of one nation, one curriculum, and one religion, as a plan to weaken the provinces by using religion as a binding force.⁹⁹

Education is, in fact, a provincial subject; it is within the jurisdiction of provincial governments to decide the language and content of their curriculum. The Sindh government, led by the Pakistan People's Party with a history of animosity towards the Islamization project, declined to adopt the SNC in its entirety, suggesting only some core elements would be included and not in social science subjects.¹⁰⁰ Thus, the issue increased federal-provincial tensions, and deepened political fault lines. On one side were political forces and supporters

in civil society who supported provincial autonomy and an education system respectful of the cultural and ethnic heterogeneity of the country. On the other were religious groups, conservative political interests and the military's security establishment which use Islamization to creating a homogenizing national narrative, for which control over the media and education system are essential tools.

D. Missing Persons Protests

The practice of enforced disappearances began during Pakistan's crackdown on militants after 9/11, during the military rule of General Pervez Musharraf. It is believed that security agencies are responsible for the disappearance of hundreds of individuals accused of terrorism from Khyber Pakhtunkhwa province where the military quelled the Taliban-led insurgency on the border regions with Afghanistan in a series of operations ending in 2015. In Balochistan, which has seen decades of nationalist insurgencies, according to activist leader Mama Qadeer, 47,000 Baloch and 35,000 Pashtuns are missing.¹⁰¹ More recently in Sindh, where some political activists demand greater autonomy, enforced disappearances are increasing.

A number of civil society groups advocate for the return of missing persons. Amina Janjua founded Defence for Human Rights, after her husband went missing in 2005 in a crackdown against suspect Islamists after 9/11. Families of victims in the army action to rid an Islamabad seminary of militants also formed a group to demand information about of their whereabouts. Voice for Baloch Missing Persons (VBMP) stages sit-ins, long marches and hunger strikes, with its most visible leader a man called Mama Qadeer whose son was first disappeared then found dead. In 2015 after the discovery of mass graves and mutilated bodies, the Supreme Court ordered the government to produce lists of the missing persons in Pakistan.¹⁰²

In 2017 the Pakistan government established a second Commission of Inquiry on Enforced Disappearances to trace the missing, fix responsibility for disappearances and register police cases against individuals involved. It was informed of 6,752 cases between 2011-2020.¹⁰³ The Commission came under scathing critique by the International Commission of Jurists for failing to define enforced disappearances according to standards of international law, e.g. it does not recognize secret detention nor the role of non-state actors in carrying out abductions on behalf of the state. It failed to fix responsibility or file police reports against those responsible for concealing the whereabouts of missing persons in government detention centers.¹⁰⁴

The issue remained prominent even during the pandemic, as it emerged that security forces continued the strategy of abduction and disappearance of activists from ethno-nationalist movements: Seraiki, Sindhi, Baloch, and Pashtun. Those from civil society against this strategy found themselves investigated, monitored and harassed too, including women's rights activists from Women's Action Forum, the Women's Democratic Front, and Human Rights Commission of Pakistan. This added to the climate of fear, preventing these groups

from uniting publicly around the cause. Although it cannot be determined what effect, if any, the pandemic had on the rate of disappearances, the extensive media coverage of the problem and civil society activism during the period under review ensured it remained a visible issue.

In August 2020, families of Baloch missing persons staged their annual Eid sit-in in front of the Quetta and Karachi Press Clubs demanding the release of their disappeared loved ones.¹⁰⁵ The same month, Hayat Baloch, a student pursuing a Master's degree from Karachi University, was shot eight times outside his home in Balochistan by personnel of the Frontier Corps (FC). The incident took place after the para-military force's convoy came under attack from an IED blast.¹⁰⁶ Students and social media activists protested against what appeared to be a revenge murder by the security forces as part of their strategy to quell the insurgency. The outcry led to a judicial inquiry. Soon the police arrested an FC soldier who confessed to the killing.¹⁰⁷

The same month another enforced disappearance drew attention to similar cases in Sindh. Sarang Joyo, a young researcher who works on missing persons cases and campaigns for the repatriation of Afghan refugees, was abducted from his home. As civil society raised the alarm on social media, his own father, the prominent Sindhi writer and poet Taj Joyo, was nominated for the government's Pride of Performance award on Independence Day. He refused the award in protest against his son's abduction.¹⁰⁸ His wife submitted an application to the Sindh High Court for her son's recovery.¹⁰⁹ Ten days later Joyo returned home, promising his campaign for the rights of missing persons would continue.¹¹⁰

Resolution of the missing persons issue is undoubtedly in the political domain. Farooq Kubdani, an academic and human rights activist suggests that if the state, or establishment wishes to, it could open dialogue with the insurgents in Balochistan. As a first step to normalizing relations, it would be a good gesture to release hundreds of missing persons. It appears the establishment is unwilling to take these steps.¹¹¹

The Pashtun Tahaffuz Movement (PTM) began in the former Federally Administered Tribal Areas in the aftermath of the military action to quell the Taliban insurgency. Youth leaders worked with conflict-affected communities to document the number of missing persons. While some of the disappeared have indeed been returned, many PTM leaders were arrested and charged with sedition for their demands. Media coverage of PTM protests is largely banned, but nonetheless continues sporadically. In October, women from the region North Waziristan held a sit-in to seek the release of their male family members picked up by security forces during a raid after a bomb attack on a military convoy in their area.¹¹²

E. Media

Media voices became increasingly unruly and dangerous for critics of the state during 2020. A new trend of 'missing' journalists adding to an atmosphere of fear about voicing issues that challenge the state-sponsored narrative around security, national ideology, and sources of

corruption. Over the past two years 49 journalists were booked on various charges by the Federal Investigation Agency, along with the arrest of major news mogul and Geo's chief editor Mir Shakeel ur-Rahman.¹¹³ Panel respondents believed government supporters and related intelligence agencies use social media, particularly Twitter, to foster ethnic and religious hatred. Twitter campaigns stoked hatred amongst people of different ethnic groups (the city has had decades of violent ethnic-based conflict) in the city of Karachi, and criticized the provincial government. Some prominent journalists joined in these trends, possibly under political pressure. Progressive groups and individuals found these campaigns hard to counter through their own social media activities.

In July a prominent journalist, Matiullah Jan, was picked up by unidentified security forces in Islamabad, in broad daylight. He was blindfolded, taken to an undisclosed location, and severely beaten.¹¹⁴ Jan, who previously worked for mainstream media outlets, now runs his own YouTube channel, where he is an outspoken critic of the government. The reason for his abduction may have been Jan's support for a senior judge of the Supreme Court, Qazi Faez Isa, who is under investigation for tax issues. Some allege the investigation is an effort to block him from becoming Chief Justice.¹¹⁵ After outcry from fellow journalists, a twitter campaign, and statements from numerous human rights groups both locally and internationally, Jan was released.¹¹⁶ His abductors suggested they picked up the wrong man. A few days later, the para-military Rangers raided the Karachi Press Club in an unusual move, adding to the intimidation of journalists.

A journalist's expose put military corruption under public scrutiny despite the state's efforts to control content on mainstream media sources. Ahmed Noorani, a journalist and co-founder of the independent investigative news website, 'FactFocus' published an article about the financial assets of retired Army General Asim Saleem Bajwa in August. At the time he chaired the Chinese-financed infrastructure projects and also served as the Prime Minister's Special Assistant on Information and Broadcasting. The article revealed how his family business expanded to four countries concurrently with his rise through the military's ranks.¹¹⁷ ARY, a privately-owned news channel, quickly aired a segment labeling this report as fake news, suggesting the journalist works for anti-state interests.¹¹⁸ Noorani, who moved outside the country after facing an attack, began to receive death threats via multiple social media sites including Facebook and Twitter. The Prime Minister did not accept Bajwa's offer of resignation,¹¹⁹ but his chairmanship of the Chinese investment programme lapsed soon after and was not renewed. Our panelists noted that social media account holders were reluctant to re-tweet Noorani's investigative story for fear of harassment or going missing. Instead, they started a trend of tweeting the name of the pizza company owned by Bajwa's family.

Attempts to silence media voices critical of the state continue. In September, another journalist, Bilal Farooqui, was abducted from his residence in Karachi for sharing "highly provocative" posts on his social media platforms against the army and allegedly spewing religious hate. The Karachi Union of Journalists (KUJ) claimed his arrest was part of a concerted campaign to gag free and independent voices.¹²⁰ The police filed a case against Absar Alam, a journalist and ex-chairman of the Pakistan Electronic Media Regulatory

Authority (PEMRA) over ‘high treason’ upon a complaint by a lawyer accusing him of posting inappropriate comments against the army on his Twitter account.¹²¹

The practice of trolling and harassing women journalists is a growing problem,¹²² but it reached a new level when those critical of the government’s pandemic management began to be threatened as they were accused of spreading fake news and taking bribes. In August 2020, a group of well-known women journalists from press and television demanded protection against the “vicious attacks” by individuals linked to the ruling PTI party. Their joint statement which grew into a petition supported by activists, media, and others.¹²³ They demanded government restrain its supporters from targeting women in the media, and hold individuals accountable for harassing women journalists. They turned to the Standing Committees on Human Rights on the upper and the lower house of Parliament to take notice and hold the government accountable. Pakistan People Party’s chairman, Bilawal Bhutto, who chaired the Standing Committee, said there was no justification for rape or death threats against women journalists and it was everyone’s responsibility to stand with those facing harassment.¹²⁴

Media rights groups Bolo Bhi and Digital Rights Foundation, along with feminist groups and human rights defenders who signed the petition deliberately avoided making a demand for further regulation of digital spaces to curb online harassment. Their intention was to hold government accountable for allowing its official social media accounts to be used to harass women reporters, and ask it to exercise restraint. Our panelists were of the view that when the government insists journalists remain ‘neutral’ in their reporting, they actually mean favorable coverage.

The stress on media and outspoken journalists increased alongside growing political tensions in the country. In October, after the combined opposition Pakistan Democratic Movement held its protest meeting in Karachi, the Inspector General of Sindh Police was abducted and taken to a military commander’s office. He was forced to order the arrest of opposition leader Maryam Nawaz’s husband, for illegally chanting political slogans at the mausoleum of the founder of Pakistan.¹²⁵ A television journalist disappeared a day after he broadcasted CCTV footage showing the arrest; although upon protests by press associations, civil society and human rights groups he was released a day later.¹²⁶

The Sindh provincial police force threatened rebellion over the manner in which their IG was pressured. Bilawal Bhutto Zardari, chairman of the PPP, asked the Army Chief General Bajwa and the head of an intelligence agency to investigate what their institution was doing in Sindh.¹²⁷ Exhibiting unusual responsiveness to public and political backlash, the intelligence operative who ordered the arrest of Nawaz’s husband and kidnapping of the police chief was removed.¹²⁸

F. Violence Against Women

Gender-based violence is a focal concern of the women's movement in Pakistan. During the pandemic rates of domestic violence appeared to increase, and access to helplines and shelters constrained.¹²⁹ As the provincial government, assisted by donors and civil society groups, moved to protect these services and opened more helplines, a series of new rape and forced marriage cases captured media attention. The government response was haphazard and often incoherent.

In what became known as the “motorway rape”, in September 2020 a woman was raped in front of her children by two unidentified men after her car broke down one night on a motorway outside the city of Lahore. A senior police officer in charge of the case, Umer Sheikh, blamed the woman herself for the attack.¹³⁰ Maulana Tariq Jameel, a famous religious scholar claimed that co-education and obscenity in the country result in such incidents, views echoed by the Prime Minister.¹³¹ In response, women's groups in urban centers held small protest demonstrations against the rape and the police officer's victim-blaming comments.¹³² Journalists and feminists wrote a ‘Letter to the State of Pakistan’ highlighting cases of unbridled gender-based violence and laying out a Charter of Demands to ensure women's safety and security.¹³³ After a dozen arrests and a man-hunt two accused were captured and pleaded guilty,¹³⁴ but the police officer Sheikh remains in his post.¹³⁵

Meanwhile the Ministry of Human Rights recognized the longstanding feminist position that the two-finger test of rape victims, to determine if a woman is sexually active, violates their fundamental right to dignity. Activists successfully petitioned the court to ban the procedure in Punjab.¹³⁶

The Prime Minister triggered a national debate by suggesting further punitive laws, including chemical castration and public hanging for serial rapists would address the problem of VAW. Women's rights activists are opposed to the death penalty and argue that existing laws against sexual violence require more effective implementation to reduce crimes. Still, on 24th November 2020, the federal government approved two anti-rape ordinances. The new laws include voluntary chemical castration and hanging as punishments, but not in public. The Draft Anti-Rape (Investigation and Trial) Ordinance, 2020 establishes special courts for women and children along with Anti-rape Cells and improved investigative procedures.¹³⁷ Lawyers countered that unless policing is improved, prosecutors properly trained, and public awareness increased, harsh legislation will not suffice to address the problem of rape.¹³⁸

Forced marriages and abductions of underage girls from religious minority communities may have increased during 2020, although accurate data is not available. Advocacy groups believe further changes in laws around age of marriage and consent, and more robust government programmes are needed to end these practices.¹³⁹ A new case drew headlines in October, when a 13-year old Christian girl, Arzoo Raja, was abducted, forcefully converted, and married to a 44-year-old Muslim. Arzoo's parents went to court alleging rape and child marriage.¹⁴⁰ Members of the Christian community, activists, and lawyers protested in Karachi

demand her return. Arzoo was moved to a shelter home under police protection and her abductor and accomplices remain in custody.¹⁴¹

These cases, and the sexual harassment of women journalists discussed earlier, hold lessons for the women's movement, as our panelists observe. While there was some urban-based protest after the motorway rape, the numbers who came out were relatively few. This was attributed to a failure of feminist groups to build cross-class alliances with other movements, such as peasants and labour groups, rather than an outcome of the pandemic's impact on public mobilisations. Even though women have accomplished some significant legal and policy reforms in recent years, despite their relatively small numbers, some of the laws they advocated for are being used against them. For example, sexual harassment laws have enabled women to file cases, but in the absence of protective mechanisms they are subjected to defamation charges and thus eventually silenced. Child marriage, too, became more difficult in Sindh province when it raised the age of marriage from 16 to 18 for girls, bringing it at par with boys. But the Arzoo case reveals how difficult it is to implement the law and protect girls in the most vulnerable communities. Civil society groups, albeit limited in terms of mass mobilizations, effectively voiced their concerns in the corridors of power and through media. Using social media, mainstream press and television, and old-fashioned street protests, they pushed government to be partially responsive.

G. Labour and Livelihoods

[T]he lower class is the most productive class in our society and also the most vulnerable.
Nasir Mansoor, NTUF leader.

Workers have been laid off from jobs in the formal and informal sectors, directly due to lockdown restrictions and the deepening burden on Pakistan's weak economy. Public sector lay-offs and plans to develop off-shore projects have added to tensions between Sindh and the federal government. While interest groups representing disparate sectors of the workforce protested against job and income loss during the pandemic, as months wore on they appeared to be developing new coalitions to further their aims.

To mitigate the effects of the first lockdown, the Sindh government issued an ordinance stating for a three-month period no employees could be fired, and all dues were to be paid to them. Employers in turn moved the court, arguing against the ordinance, but it was soon made law. Meanwhile, in the other provinces, workers suffered without the benefits of this protective measure.¹⁴²

The Home-Based Women Workers Foundation (HBWWF) and National Trade Union Federation (NTUF) organized a combined rally against IMF's privatization policies and the unconstitutional occupation of Sindh's islands. The leader of the trade union federation agreed to speak up for the rights of all workers affected by the current economic slowdown,

including those in the informal sector since most are not unionized. Some believe that women home-based workers are the most affected by the major shock to the informal sector. Thus, in November, HBWWF and NTUF marched together in Karachi holding red flags, banners and placards with their demands, while observing Covid-19 SOPs. They beat empty platters to remind authorities the poor were left to manage Covid-19 together with rising inflation, which jumped to 14 percent.¹⁴³ Due to devaluation of the Pakistani rupee, the real wages of laborers dropped by 50 percent. Protestors said the state had pushed workers “into the slavery of the IMF” and demanded government to fix the minimum wage at Rs.30,000.¹⁴⁴

The Pakistan Fisherfolk Forum (PFF), a civil society organization representing the fishing community in coastal areas of Pakistan, began to mobilize in September 2020 against plans to develop two islands off the coast of Karachi and the federal government’s decision to provide license to deep-sea fishing trawlers. PFF claimed the island development would ruin fishing habitats, threaten their livelihoods and damage the ecology.¹⁴⁵

The plans exacerbated the tensions between the federal government and Sindh provincial government. Ignoring PFF protests, President Alvi promulgated a Pakistani Islands Development Authority (PIDA) Ordinance that specifically mentioned these two islands.¹⁴⁶ PIDA is directly answerable to the Prime Minister, and empowered to retain, lease, sell, exchange, rent or otherwise dispose of any land vested in it. The Sindh government asked the federal government to immediately withdraw the PIDA ordinance as the islands that belonged to the people and government of Sindh.¹⁴⁷

The federal-provincial conflict continues due to confusion over who owns the islands. According to the PFF President, Mohammad Ali Shah, they prevented a Dubai-based company from starting a building project on the islands a few years ago. Shah says, “[T]his not development, it’s an attack by the Center on the integrity and autonomy of Sindh, it’s an attack on the 18th amendment, it’s an attack on the source of income and life of two and half million fishing communities. This cannot be called the development.”¹⁴⁸ Several Pakistani political parties including Pakistan Democratic Movement (PDM) and activist groups held rallies against PIDA, charging that the coastal area stretching for over a thousand kilometers is becoming out-of-bounds for locals in the name of development or security

The coalition of groups opposed to the islands’ development and PIDA is growing and coalescing with other concerns amongst civil society in Sindh. The Karachi Bar Association has already rejected PIDA;¹⁴⁹ and the Sindh and Balochistan assemblies passed a resolution against the Ordinance.¹⁵⁰ In November 2020, a Sindh Action Committee (SAC) organized a rally to reverse PIDA. Protestors including women and youth carried placards to ‘save islands, save Sindh’ and ‘release missing persons’. SAC accused the Sindh government of surrendering the provincial autonomy secured after devolution was granted by the 2010 constitutional amendment.¹⁵¹ It decided to launch a three-month campaign against the PIDA Ordinance, during which also plans to raise the missing persons’ issue as well as the termination of Pakistan Steel Mills employees.¹⁵²

The federal government down-sized major public sector enterprises through privatization plans and lay-offs which continue despite the pandemic's economic fall-out. In October 2020, seven hundred employees of Radio Pakistan staged a mass sit-in against their recent sacking. Although they generated response amongst politicians, they have not yet been restored.¹⁵³ Next, Pakistan Steel Mills (PSM) sacked over 4,500 employees in Karachi. The government argued its losses exceeded Rs.176 billion thus it needed to be privatized.¹⁵⁴ The Minister of Labor in Sindh called this an "anti-laborer move".¹⁵⁵ PSM employees protested against the decision - imposed by IMF - to privatize the mills in June 2020.¹⁵⁶ In November 2020, the retrenched workers staged a sit-in on Karachi's railway tracks disrupting the departures and arrivals of several passengers. They ended the protest after receiving assurances from the Sindh government it would take up the issue with the federal government.¹⁵⁷

While much of the agitation mentioned here has involved Sindh province, Punjab has also seen a growing share of discontent around issues of labour and livelihoods. The agricultural sector is the backbone of Pakistan's economy, employing 44 percent of its 65 million-strong labor force, mostly in Punjab. The urban-focussed media rarely covers farmers' demands, so in November 2020 farmers belonging to Kissan Ittehad (KI) and Pakistan's Farmer's Board came to Lahore to demand a uniform tariff rate for electricity to run tube-wells, an increase in the government's purchase rate of wheat and sugarcane, and a price reduction on fertilizers and pesticides amongst all provinces.¹⁵⁸ The peaceful protest was met with batons, tear-gas and water cannons which took the life of one leader.¹⁵⁹ Another farmer died in the struggle and 12 farmers are missing after police conducted raids to arrest farmer leaders. Civil society and rights activists in Karachi condemned the violence against protesting farmers in and demanded a judicial inquiry.

The high prices of wheat have a ripple effect in other areas of the country, too. The association of *nanbais* (flat breadmakers) in Balochistan demanded to sell *nan* weighing 350 grams at Rs.30.¹⁶⁰ One faction of the association continued the agitation and closed their shops, leading to police intervention.¹⁶¹ Labour rights activists say this episode indicates the need for dialogue amongst the provinces to ensure common prices of essential items to protect the working class and poor.¹⁶²

II. Regulating Civic Spaces

The pandemic did not result in the state reviewing or slowing its on-going effort to restrict civic spaces through imposing new rules and regulations on the functioning of NGOs, online apps and games, and mainstream media.

Since 2019, the federal and provincial governments have been pressured by security agencies into establishing new Charity Commissions in their jurisdictions to register all non-profit organizations, adding an unwelcome new bureaucratic requirement to their work. This has created confusion and competition amongst organizations, as some NGOs lobby to gain

exemption, or new NGOs supportive of the state get registered. The government policy of regulating NGOs is reflected in its National Action Plan that combines foreign and domestic policy initiatives to crack down and eliminate proscribed organizations across the country. Major national advocacy NGOs have had their registration permission removed, and have been forced to reapply – in the meanwhile several NGOs had to lay off workers and operate with reduced donor funding.¹⁶³ As the country began transitioning from the pandemic’s first wave, the Punjab government made it mandatory for all NGOs to register with the Punjab Charity Commission’s portal in a span of 30 days.¹⁶⁴

To resist this move, a dozen NGOs and civil society organizations filed a joint petition at the Lahore High Court against the new requirement in July 2020. Representing the petitioners, Advocate Hina Jilani argued the government never consulted any civil society organisations likely to be affected by the new law, and imposing a deadline during a pandemic when most NGO offices were either closed or partially working, was not justified. Jilani won a stay from the court.¹⁶⁵

The added registration requirements for NGOs negatively impacted the sector. Several organisations found the new registration form convoluted, and claimed government did not provide them adequate support to adhere to the new conditions.¹⁶⁶ Our panelist believed that as a consequence of the increased legal and bureaucratic hurdles to NGOs, donor organizations began to fund less visible organizations, not involved in advocacy work, to ensure some of their development programmes would still be implemented.

Weaponizing PECA

The Prevention of Electronic Crimes Act (PECA) 2016 empowered the Pakistan Telecommunications Authority (PTA) to block apps or websites under Article 37 if their content is “against the glory of Islam, integrity, security and defence of Pakistan, public order, morality or contemptuous.” PTA was granted authority to interpret the law, remove content and make arrests, in violation of the freedom of speech granted through Article 19 of the Constitution.¹⁶⁷ In September, the Federal Investigation Agency used PECA to charge nine women for transmitting defamatory information against celebrity singer Ali Zafar who was accused by his colleague of sexual harassment in 2018.¹⁶⁸ Next, the Pakistan Federation Union of Journalists (PFUJ) expressed grave concern after 49 journalists and social media activists were charged under PECA.¹⁶⁹

Government introduced new rules in October 2020 under PECA to give legal cover to issue blanket bans on digital content. The Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules 2020 require that any platform with more than half a million users will have to register with the PTA within nine months and establish a permanent office and database servers in Pakistan in the next 18 months. Jeff Paine, managing director of Asia Internet Coalition (AIC) stated that “The draconian data localisation requirements will damage the ability of people to access a free and open internet and shut Pakistan’s digital economy off from the rest of the world.”¹⁷⁰ The rules go a step

further by defining the “glory of Islam” as per the blasphemy laws of Pakistan under Chapter XV of the Pakistan Penal Code (PPC). This can be used to threaten the already persecuted religious minorities, and can be abused to curb the progressive voices in Pakistan. Recently, Islamabad High Court Chief Justice Athar Minallah rebuked the government over the controversial new social media rules calling them unconstitutional.¹⁷¹

As a result of the climate of fear and regulatory regime, self-censorship prevents even some activists from speaking out on social media. Supporters of PECA argued it would restrict online extremist content, prosecute hate speech, and curb harassment of women on the internet. But critics contend that due to the undue powers granted to regulatory authorities, it has the opposite effect. Benazir Shah, editor at a major television channel, explained the law was being manipulated to silence women activists and journalists, in fact to criminalize journalism in Pakistan.¹⁷² Activists have been accused of blasphemy, surveilled and arrested by the police for anti-state tweets, or silenced when their personal morality is questioned by social media actors, often at the behest of political interests. Shah herself was targeted by the ruling party PTI in its campaign against women journalists who critiqued the government’s coverage of the pandemic. As a consequence, she hesitated to tweet for fear of being accused on social media for spreading fake news and harassed.¹⁷³

Ban on apps and games

Government sought to restrict online applications and video games on the grounds that they fostered immorality. The authorities banned the popular game PUB-G after they received complaints it led to violence and addiction amongst users,¹⁷⁴ but it was soon overturned by the Islamabad High Court.¹⁷⁵ Meanwhile, the Pakistan Telecommunications Authority banned the video-streaming app Bigo and gave a final warning to Tik-Tok based on complaints of “immoral, obscene and vulgar content”.¹⁷⁶ It temporarily blocked the app after deleting 3.7 million videos that violated moral guidelines.¹⁷⁷ This block was overturned after just ten days when the developers assured the authorities it would moderate Tik-Tok’s content based on local laws.¹⁷⁸ Next, the authorities banned five dating apps because homosexuality and extra-marital relationships are illegal in the Pakistan and the developers did not adequately moderate the content.¹⁷⁹ The Supreme Court hinted at the possibility of banning YouTube again for inciting hatred against members of the judiciary, government, and armed forces. (It was banned in Pakistan for three years to block offensive content.)¹⁸⁰

III. Politics, Civil Society and the Implications for Governance

The provincial governments do not share the federal government’s dim view of civil society entirely, depending on which party is in power. In Sindh, with a more progressive party running government, there is greater collaboration and discourse with civil society groups. The ruling People’s Party provided security cover to the Aurat March (annual International Women’s Day event) when the conservative lobby threatened to attack their protest venues.¹⁸¹ Women’s advocacy NGOs worked together with the Sindh Commission on the

Status of Women to develop a gender policy for women under Covid-19, endorsed by the provincial government.¹⁸²

The review of changing civic spaces reveals that trends existing prior to this disaster possibly accelerated since the pandemic began, and triggered some new configurations and mobilizations as well. The acceleration is deeply linked with political interests and stakeholders, which in turn has implications for governance in the medium and long-term in Pakistan. The year saw increasing tension between the Sindh provincial government and the Center, and the consolidation of an opposition political coalition to overthrow the current government. These developments present distinct challenges to civil society, as it struggles to navigate relentless pressure from the state to function and be heard.

Federal-provincial tensions

The first months of the pandemic in 2020 (March-June) exacerbated existing tensions between federal and provincial governments.¹⁸³ Differences emerged over handling of the pandemic and lockdown measures in the first wave. Next, the federal government revived the debate over the 2010 18th constitutional amendment which increased the power and control of the provinces over their own finance and development.¹⁸⁴ Floods in August 2020 brought an unwelcome focus on urban flooding city of Karachi, generating criticism from the federal government about the state of the city and collapse of its infrastructure. Sindh resisted the federal government's imposition of the Single National Curriculum and its calls for human rights to be included in the syllabus. The provincial government also said it will not allow the controversial development of islands, discussed above. By the end of the year, it became clear that the main tension was with the Sindh provincial government, the only provincial government led by an opposition political party, the PPP.

Our panelists believed a political trend from the center is underway to reverse provincial autonomy and centralize government powers. Political, ethnic and religious tensions were being exploited to create a law and order situation to justify returning to a highly centralized regime of governance. This approach entails controlling the narrative – political and ideological – which the SNC, Punjab bill, attacks on independent and other media, exemplify. This is furthered by undermining of the provincial government in Sindh. When rumours began in Karachi that it should become a separate province in its own right, this was possibly another attempt to sow political dissent in Sindh and re-open ethnic tensions between the Sindh, Pashtun and Urdu-speaking Mohajir populations.

During the second half of August 2020, severe monsoon rains caused floods, deaths and widespread destruction across Pakistan.¹⁸⁵ In Sindh province's largest city, Karachi, urban flooding and infrastructure collapse did not spare even the affluent southern residential areas. Coastal Sindh also flooded and remained inaccessible for days. The federal government announced a special Rs. 1.1 trillion package fund to improve Karachi's infrastructure, to be implemented through a Provincial Coordination Implementation Committee (PCIC), Khan

said that other stakeholders such as the army will play a big role in the plan's execution because they help civilian administration whenever there are floods or calamity.¹⁸⁶ PCIC will include representatives from civil society to monitor the financial accountability of the fund, which is seen as state responsiveness to the elite protests post-urban flooding in early September 2020.

The consolidation of an opposition political coalition

After the 2018 elections, political parties other than the ruling PTI suffered severe setbacks which weakened their position on the national stage. The National Accountability Bureau arrested and charged numerous senior politicians from the PPP and PML(N) with corruption, embroiling them in court cases that preoccupied the country and damaged their image. Parliament, as vibrant arena for political debate and negotiation, took a backstage while the new government avoided legislation and engagement across the aisles. Our panelists noted that political parties, together with leading civil society organizations, were unable to prevent the growing restrictions on civil freedom and public discourse.

Opposition political parties were thus set on a confrontation course against the government. During October a new eleven-party opposition alliance to overthrow the government called Pakistan Democratic Movement was formed to challenge the military's interference in politics and force the current government to resign. Led by three mainstream opposition parties – PML-N, PPP and Jamiat Ulema-i-Islam-Fazl (JUI-F), they charge the 2018 elections were rigged. PDM held rallies in all four of Pakistan's provinces, drawing thousands to voice their demands to oust the Prime Minister from power and hold free and fair elections, despite fears of a second wave of Covid-19 and government threats of legal action if coronavirus cases spiked after the events.¹⁸⁷ PDM launched a 'Charter of Pakistan', with a dozen goals including reforms for free and fair elections.¹⁸⁸ Over 500 opposition figures and activists, mainly from the opposition Pakistan Muslim League-Nawaz (PML-N) party were arrested in before these protest meetings.

Each side blamed the other for using politicizing the pandemic. PDM has accused the ruling government for mixed messaging. It banned public gatherings strategically a day after elections in the northern Gilgit-Baltistan region, which PTI won.¹⁸⁹ Government allowed the TLP meetings and funeral to go ahead, but refused permission for PDM rallies due to the second wave, saying the opposition politicians did not care for the lives of the people they endanger through public protests.

Challenges facing civil society

Civil society actors and groups must negotiate intensified challenges due to political developments, pressures on civic space, and the pandemic crisis. Those demanding greater civic spaces and freedoms, whether to criticize the discriminatory blasphemy laws, revive student unions, or demand the rights of women and religious minorities, are all vulnerable to

charges of sedition and blasphemy. Our panelists observed the state has always alleged that progressive voices work for the interests of western countries, but now they are silenced through accusations of treason and sedition. The gap between armed and unarmed protest has been shut in the minds of the intelligence agencies, making it very dangerous to be a civil society activist.

The media is closely monitored through direct and indirect methods. Credible data about the pandemic's impact is not available, as unofficial sources of data about the spread of Covid-19 have been blocked and the government statistics may be underreporting disease spread and deaths. The government withholds advertising to those media outlets and newspapers whose coverage is critical of the ruling party or the military. It is difficult to assess the strength of civil society mobilizations based on mainstream coverage.

Fear and violence appear to be a political strategy to silence both political and civil society voices. To contend with this strategy, activists will need to change their strategies. Women activists need to build stronger alliances with politicians, even in the ruling party, who speak out for women's rights. In a context where society has been successfully radicalized (through the state's own project), in fact there is a strong consensus – even among many women – in support of misogyny. Keeping women afraid and within the home can be viewed as part of a deeper political project, sustained by the state's impunity for violators and inability to strengthen the criminal justice system.

Fear of violence also makes other civil society groups compete with one another for state protection. Religious minority groups are silenced through sectarian attacks and blasphemy charges, with growing popular support in some cases. Ethno-political groups are widely perceived to be supported by intelligence agencies to stir up street violence and maintain political disequilibrium. The net result is that both civil society and political forces live in fear of violence and do not unite.

There is currently 'no space to breathe', as one panelist said. The spaces for public debate on vital issues are so constrained through regulation of NGOs and control of media and narrative, that actors cannot fully engage with one another to discuss the socio-economic impact of Covid-19 and the solutions needed for Pakistan. Civil society organizations cannot engage confidently and openly in important debates about how to work with the PDM, which has become a mouthpiece for many activist issues such as media freedoms, missing persons, military interference in governance, and gender-based violence.

The current climate will require rights-based organizations to adapt their strategy as they struggle to secure funds and space to operate. Our panelists believe that over the last four decades advocacy NGOs have indeed helped to change Pakistan and built a constituency at the grass-roots for human rights, democracy, religious freedom, and gender justice. Evidence for this may be found in the successful movement for increased women's political participation in democratic processes.¹⁹⁰ Yet advocacy NGOs rely on the support of donor agencies, which is less reliable as new restrictions on eligibility for foreign funding are

implemented. It is unclear if donor agencies are in a position to push the Pakistan government to allow them to continue supporting rights-based work.

The pandemic and August flood disaster reinforced the state's preference for NGOs that provide services in the health and education sector, i.e. welfare organizations. Flood relief efforts have sprung up around the country, and major non-profit health organizations are working with government to provide testing facilities, run vaccine trials, and generate public messaging on Covid-19. This suggests the importance of civil society in basic service provision will continue to grow, pushing advocacy organizations and rights-based efforts further into the background.

Civil society is divided and without a nucleus for struggle. Associations and alliances amongst civil society have been factionalized into groups that are pro-government and those that are not. These divisions can be seen across sectors: amongst journalists, lawyers, medical professionals, and even NGOs. Avowedly rights-based progressive groups are suffering under constraints of funding, hundreds of NGOs were shut down after their registration was denied, and even some of the oldest advocacy NGOs may have their permission to operate revoked under the guise of meeting requirements.

Thus, new alliances need to be created to contend with shrinking civic space. For example, in the 1990s when the government sought to restrict the functioning and foreign funding to rights-based NGOs, they formed national and provincial coalition platforms to advocate against these measures. Today, alliances amongst civil society groups need to be broadened to include associations that represent students, teachers, journalists, health service providers, bar associations, and others in order to resist the closure of spaces more effectively. In this vein, some leaders of civil society organizations are beginning to support the PDM. This is not without some reservations, as our panelists recall the many restrictions on NGOs and digital spaces that began during the tenure of these opposition parties while they were in government. Although these same politicians now speak up on these concerns at rallies, whether this will translate into the issues being raised in the assemblies remains to be seen.

Real agency for change may lie with the opposition political movement more than civic spaces at present. Our panelists agreed that civil society must support those who seek to expand democratic spaces at present, despite differences on specific issues. Political opposition may gain momentum in the near future by winning support from those whose livelihoods are most affected by the economic downturn under Covid-19. The role of civil society should be to retain maximalist positions while strategically supporting PDM on its platform to ensure free and fair elections and secure the democratic process. The consolidation of an inclusive, participatory democracy will require that civic and political spaces navigate together, and in the same direction, out of the pandemic and beyond.

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