

SADF FOCUS

Farooq Yousaf

South Asia Democratic Forum (SADF)

19 Avenue des Arts 1210 Brussels Belgium

info@sadf.eu www.sadf.eu

+12 026 834 180 +32 2 808 42 08

Reg. Num. BE 833606320

The plight of Religious Minorities in Pakistan

Abstract

Since the creation of Pakistan in 1947, religious minorities in the country have faced systematic marginalisation through various constitutional amendments. The state has not only failed to protect the rights of its minorities, but has also done little to ensure equal rights, and freedom of speech, religion and life for the small minority population of the country. It was during Bhutto's rule and General Zia's regime that the space for minorities became limited in the country with onset of religious extremism leading to extremist attacks on minorities and their places of worship. Soon after Zia's policies of Islamisation, the narrative and discourse in Pakistan started leaning towards the right making life difficult for the minority communities in the country. Over the years minorities, such as Ahmadis, Shias, Ismailia Muslims, Christians and Hindus, have been subject to frequent threats and attacks by religious fundamentalist groups. If this phenomenon is not checked by the state, the country will soon be dominated by a common narrative of extremism that would only allow space for Sunnis to live while limiting the boundaries for minorities to practice their religion and also live as free citizens.

Keywords: Pakistan, Religious minorities, Extremism, Violence, Minority rights

I. Introduction

Pakistan, being an Islamic Republic, has a dominantly overwhelming Muslim majority. Minorities in Pakistan make up a very small proportion of the overall population. Out of the total 190,000 million (approx.) population, about 96% people practice Islam, whereas around 4% practice other religions, with Hinduism and Christianity being the prominent minority religions (Central Intelligence Agency, 2015). These figures are self-reflective of the fact that minorities would naturally have a limited say in social and state affairs. Moreover, the constitution of Pakistan also prohibits any minority member from holding the highest state positions of President and Prime Minister (Khan, 2014). In 2012, Freedom House termed Pakistan as partially free in terms of religious independence, whereas Pakistan ranked the third worst state, according to Foreign Policy magazine, in terms of group grievance (Raina, 2014). Among other issues, the major dilemmas currently faced by Pakistani minorities are threats of persecution, forced conversions along with religious violence. On May 13 2015, a group of six unnamed assailants targeted a bus carrying Pakistanis belonging to the Ismailia community – a minority Shia sect. The attack resulted in deaths of 43 civilians, whereas the assailants escaped unscathed (Hassan, 2015). This was not an anomaly or an exception, rather the rule. Attacks of such nature have been frequent in the past few years where extremist right wing militant groups have targeted members of the minority communities, including Shias, Hazaras, Christians, Hindus, Ahmadis, and now the Ismailia community. The responsibility of the attack was accepted by Jundullah, a sectarian group, threatening of further attacks in future against groups whom they considered Kafirs (infidels/Non-Muslims) (Hassan, 2015). The state has drastically failed to protect minority groups in a Muslim dominated country leading to mass exodus and forced migration of these communities from the country. In February, 2015, a Shia mosque was attacked in Peshawar killing more than 20 people (Hashim, 2015). In March, 2015, similar attacks targeted a Church in Lahore, killing 12, and a Bohra mosque in Karachi wounding 12 (BBC News, 2015; Khan & Raza, 2015). The situation regarding minority rights and their protection has worsened over the past few years with right wing Islamist groups succeeding in mobilising angry rural youth and encouraging them to attack minority communities. This situation does not only stem from the narrative built by radical groups, but is also compounded by the state constitution that is responsible for structural prejudice against the minority groups. This paper seeks to discuss the aforementioned challenges faced by the minorities in Pakistan, along with discussing the recommendations that need to be implemented for protection of this marginalised group in the country.

II. Minorities, State and the Pakistani Constitution

According to a report by Youth Parliament Pakistan (2015), although there is not a universally agreed definition to describe minorities, yet the following statement by a UN Sub commission on Human Rights may somehow define the term suitably:

"A group of citizens of a state, consisting of a numerical minority and in a non-dominant position in that state, endowed with ethnic, religious, or linguistic characteristics which differ from those of the majority of the population, having a sense of solidarity with one another, motivated, if not implicitly, by a collective will to survive and whose aim is to achieve equality with the majority in fact and in law" (p.11)

In terms of religious freedom and practice, Pakistan's history concerning religious minorities is somewhat tainted. Although Pakistan was established on the principles of secularism by Muhammad Ali Jinnah, promising freedom of religion to everyone, the revisions and constitutional changes, motivated by right wing religious groups, in the 1960's and 1970's marginalised the minorities in the country (United Nations High Commissioner for Refugees, 2012). This is where two schools of thought exist in Pakistan; the liberal and the conservative. The liberal school believes that Pakistan was founded on identity agonistic principles with equal citizenship for all, whereas the conservative narrative says that the country was founded only to protect and practice Islam (Raina, 2014). Rashid (2011) argues that the first blow to Jinnah's version of secular Pakistan came when in 1962 the Pakistan Advisory Council for Islamic Ideology added a repugnancy clause to the constitution stating that all the laws should be brought in conformity with the Holy Quran and Sunnah. Pakistan's official name did not include Islamic Republic until the 1956 constitution was formed, and Islam was not officially designated a state religion until it was stated in the constitution of 1973 (Titus, 2015). The constitution of Pakistan, on the other hand, also tried to ensure religious freedom from everyone, as per Jinnah's vision. Article 20 of Pakistani constitution states that every Pakistani citizen must have the liberty to practice his own religion and establish religious institutions (Khan, 2014). Yet, on the other hand, the same constitution forbids any minority citizen from holding the offices of President and Prime Minister in the country (Khan, 2014). Furthermore, the constitution explicitly states that all laws shall be formed in light of Islamic principles (Khan, 2014). It was General Zia, who during his authoritarian regime, followed Islamisation policies to attract alliances from religious parties and groups, and thus introduced strict penalties and punishments for blasphemy offences through articles 295-298 of the Pakistan Penal Code (Rais, 2007; BBC, 2014). Article 295 A B and C encapsulate the clauses that are meant to protect Islam (Munshey, 2015). Without going into the details of pros, cons and justifications of Pakistan's blasphemy law, it can easily be discussed that the law has been misused in a number of cases. In one such case, a Christian Pakistani woman, Aasia Bibi, was sentenced to death after being convicted of committing blasphemy. Munshey (2015) sums up the plight of minorities and their lack of protection in the Pakistani constitution through the example of Aasia bibi. Aasia was charged under the Blasphemy act for merely trying to defend her religious sanctity, and in the process, her right to life, in Article 3 of the Pakistani constitution, freedom to practice her religion, in Article 18, and freedom of expression, Article 19, were violated in this single occurrence (Munshey, 2015). Salman Taseer, the then governor of Punjab province, was shot dead by his own bodyguard on January 11, 2011, for supporting Assia and criticising the way in which the Blasphemy law was practiced in the country (Gregory, 2012). Blasphemy is considered a serious offence in Pakistan, especially when it is allegedly committed by the non-Muslim community. In 2010, a whole block of Christian community, comprising of 50 houses, was set on fire killing 7 and injuring 18, when the victims were accused of blasphemy. In a similar instance, According to the section 295 of Pakistan Penal Code, any act of defiling or damaging a place of worship, or insulting Islam and the Prophets, comes under blasphemy and is punishable by a fine or a death sentence. During the pre-partition British era, the blasphemy laws were only exercised for exceptional circumstances to execute clerics and preachers who were responsible for communal violence. It was after this introduction that the space for religious minorities became further restricted and a number of Pakistanis were booked under blasphemy offences. Furthermore, Farahnaz Ispahani (2013) also believes that it was Zia's policies post 1979, including mandatory payment of Zakat (a percentage of income prescribed by Islam for social wellbeing), trying to centre the country around one version of Islam, which not only marginalised the Shia community but also lead to creation of Shia and Sunni militant groups. Till date, there have been more than 700 cases registered against minorities in relation to blasphemy offences, making up half of the total blasphemy related cases (Munshey, 2015). Pakistan is among the many United Nations member states to have signed the International Covenant on Civil and Political Rights (ICCPR) (Rashid, 2011). But even having signed and ratified the ICCPR, the country has failed to ensure political and civil rights of the minorities. Moreover, it is also argued that most of the persecution and violence against the minorities is implicitly state sanctioned and thus goes unchecked (Rashid, 2011).

III. Violence against Pakistani Minorities

Pakistan was recently ranked third on the global terrorism index by the Institute of Economics and Peace, where the country's terror attacks also included those waged on the religious minorities in the country (Dawn, 2014). Gregory (2012) believes that the recent wave of Talibanization in Pakistan has become a major threat to minorities in the country. Although most of the Pakistanis have become victims to terror related attacks, the religious minorities, especially Ahmadis, Shias, Christians, and Hazaras have come under religion related attacks from fundamentalist groups (Ispahani, 2013). Lashkar e Jhangvi (LeJ) a banned militant outfit is mostly responsible for attacks on Shias at large whereas Jundullah has been involved in persecution of Hazara Shias. Tehrik e Taliban Pakistan, the country's most notorious militant outfit, has been involved not only in attacks on Christians but also in all major cities of Pakistan in general. Many members of minority communities particularly Hindus, are leaving for safer lands. Between January 2013 and June 2014, 3,753 Pakistanis from minority groups, especially Hindus, surrendered their passports and obtained long-term visas for India (Mansoor, 2014). The situation for Christians is also dire. Gregory (2012) mentions a number of prominent anti Christians attacks in the past 15 years including an attack on a Christian Church in Murree in 2002 killing 7, execution of 7 Christian workers in a welfare organisation in Karachi in September 2002, two minor girls, aged two and a half and seven, raped in Lahore in 2004, Samuel Masih being the seventh person to be murdered on conviction of blasphemy in 2004, a Christian social worker and his driver killed in Peshawar in 2005, a Christian stonemason severely beaten by a mob in 2006 for drinking out of a communal glass, a young Christian man gang raped by 30 men for refusing to convert to Islam and in 2009 a mob burning down more than 40 homes in Gojra, among other incidents. These incidents direct towards the notion that violence against Christians is not limited to one region or city, rather widespread throughout the country (Gregory, 2012). Raina (2014) believes that the violence against minorities is also linked to demographics. In Sindh, where the Hindu minority is based, the incidents of persecution are far less compared to those against Christians in Punjab. This is because Punjab is more radicalised that Sindh (Raina, 2014). Two months after Salman Taseer was shot, Pakistan's only Christian minister was also shot dead outside his house in Islamabad for campaigning for free speech (Reporter, 2011).

IV. Forced Conversions and Marriages

The Movement for Solidarity and Peace (2014) in a report explains that forced conversion is one of the three major grievances that the minority community faces in Pakistan. The dilemma of forced conversions is prominent in the Sindh province of Pakistan, which constitutes the majority of the Hindu population living in the country. According to Human Rights Watch, 20-25 incidents of kidnapping and forced conversions of Hindus take place per month on an average in the province (Ispahani, 2013). The Christians, on the other hand, face forced conversions and marriages in Punjab province (Movement for Solidarity and Peace, 2014). In many cases the girls forced to covert and marry are minors and thus are unable to provide consent and subject to physical and psychological abuse. One prominent example of such cases was when Anjali Kumari, aged 12, was kidnapped and consequently forced into conversion and marriage (Memon, 2014). Kumari's parents and Hindu community elders from Sukkur, Kumari's hometown, were of the view that at the age of 12, Kumari was a minor and thus could not wilfully marry and convert to another religion (Memon, 2014). In economic and social terms, it is also believed that many Christians and Hindus wilfully chose to convert to Islam, the majority religion in the country, in order to gain access to further opportunities (Movement for Solidarity and Peace, 2014). MSP (2014) provides stories of at least 10 girls from minority faiths and how they were forced into marriage through threats or abduction, and also made to convert from their religion. In one such example, Bushra, a Christian girl with 9 siblings, started working at a local factory once her father passed away. A local Muslim boy at her factory asked to marry her, and upon her refusal not only kidnapped, married and raped her, but also kept her in captivity for one year (Movement for Solidarity and Peace, 2014). The role of local police and administration is also a major element in forced conversions as they provide impunity to the perpetrators. In the majority of these cases, the police, under the influence of local elites, fail to register an FIR (first information report) against the perpetrator and thus create the first and major hurdle for the victim families (Ahmed, 2012). Ahmed (2012) believes that forced conversions also apply to majority Sunni Muslims as they are forbidden to convert in Islam. Therefore, even after their conversion to other religions, they pretend to belong to the majority Sunni faith.

V. Future of Minorities in Pakistan

Gregory (2012) believes that the Afghan Soviet war (1979-1989) and the War on Terror (2001-present) have helped in furthering an extremist narrative in the country. With such a rise of

extremism and the recent attacks on Ismailia Muslims show that very few communities in Pakistan are safe. The Ismailia community is considered to be one of the most peaceful groups in the country. Although they make up only a fraction of the country's population, their contribution to the country's economy and tourism sector is undeniable. Many Pakistanis, after the Ismailia persecutions, are now asking whether Jinnah, Pakistan's founder and an Islamilia Muslim, would also be persecuted had he been alive today. As discussed from the cases above, the country's current failure to protect its minority citizens is creating further turmoil. Not only has it put the country's already deteriorating international image at stake, but also forced the largely peaceful communities to leave the country with no other option in sight. Furthermore, minority groups in Pakistan have a legitimate concern towards the discriminatory laws against them in the constitution. These concerns have led to mass exodus of Ahmadis, Hazaras and Hindus from Pakistan. With the declining numbers of minority population in the country, Pakistan is on the verge of getting itself the status of the most dangerous places for minorities in the world. The militant outfits have also been able to successfully eliminate voices of reason, such as Salman Taseer and Shahbaz Bhatti - the Christian minister, and have thus created an air of fear where very few could raise a voice against injustices done against the minority communities. It is still heartening to see that a large section of minorities, even with socio-political problems, still actively participate in state and social affairs, contributing in any way possible. Because the state narrative is dominated by Sunni faith, the judiciary along with the local administration shows little or no sympathy to the aggrieved minority families. Furthermore, the Pakistani media is also playing a negative role by not giving enough airtime to the issues faced by the minorities in the country.

VI. Conclusion

During the independence movement till 1947, minorities, especially Christians, played an integral role in the creation of Pakistan. Christian educational institutions on the Pakistani side, in Karachi and Lahore, led movements for the independence and creation of Pakistan, whereas Hindus living in the Frontier region decided to stay in Pakistan and contribute towards its progress. Pakistan is now standing at an important crossroad that could define its future and the fate of minorities in the country. If the country fails to address the grievances of its marginalised groups, it could not only face isolation on an international level, but could also lose faith and support of its minority population. The government needs to ensure that Article 20 of the constitution is implemented in its true spirit and the minorities are provided not only with security but also the full rights to practice their religion. Also, the legislature

should formulate strict laws to punish those proven guilty in cases of forced conversions and marriages. Additionally, the security of all minority community worship places should adequately be arranged by the state. Officials under the state machinery, failing to provide justice to the victim families, should also be subject to conviction and punishments. After all, it was not only the Muslims, but also the Sikhs, Hindus, Christians, who sacrificed their lives in creation of Pakistan, during the 1947 partition of the Indian Sub-continent, and this makes them equal citizens of the country.

Bibliography

- Agency, C. I. (2015, May 1). *Pakistan. In the world factbook*. Retrieved from Central Intelligence Agency: https://www.cia.gov/library/publications/the-world-factbook/geos/pk.html
- Ahmed, I. (2012, May 20). *VIEW: Forced conversions and targeted killings* . Retrieved from The Daily Times: http://archives.dailytimes.com.pk/editorial/20-May-2012/view-forced-conversions-and-targeted-killings-ishtiaq-ahmed
- BBC. (2014, November 6). *What are Pakistan's blasphemy laws?* Retrieved from BBC News: http://www.bbc.com/news/world-south-asia-12621225
- BBC News. (2015, March 15). *Deadly blasts hit Pakistan churches in Lahore*. Retrieved from BBC News: http://www.bbc.com/news/world-asia-31894708
- Dawn. (2014, November 18). *Pakistan ranks third on Global Terrorism Index*. Retrieved from Dawn: http://www.dawn.com/news/1145300
- Gregory, S. (2012). Under the shadow of Islam: the plight of the Christian minority in Pakistan. *Contemporary South Asia Vol 20, No 2*, 195-212.
- Hashim, A. (2015, February 14). *Worshippers killed in Peshawar mosque attack*. Retrieved from Al Jazeera: http://www.aljazeera.com/news/2015/02/worshipers-killed-peshawar-mosque-attack-150213100205345.html
- Hassan, S. R. (2015, May 13). *Gunmen kill 43 in bus attack in Pakistan's Karachi*. Retrieved from Reuters: http://www.reuters.com/article/2015/05/13/us-pakistan-attack-idUSKBN0NY0FH20150513

- Ispahani, F. (2013, July 31). *Cleansing Pakistan of minorities*. Retrieved from Hudson Institute: http://www.hudson.org/research/9781-cleansing-pakistan-of-minorities
- Khan, A., & Raza, M. (2015, March 20). *Bohra community mosque attacked in Karachi, 2 dead.* Retrieved from Dawn: http://www.dawn.com/news/1170828
- Khan, M. (2014). Constitutional Comparison and Analysis of Discrimination against Religious Minorities in Pakistan and India. *Lums Law Journal, Volume 1, Issue 1, 2014*, 19-38.
- Mansoor, H. (2014, September 30). *Footprints: Hindus in no man's land*. Retrieved from Dawn: http://www.dawn.com/news/1135213
- Memon, S. (2014, November 2). *Anjali or Salma?: Alleged forced conversion sparks protest in Sukkur*. Retrieved from The Express Tribune: http://tribune.com.pk/story/784815/anjali-or-salma-alleged-forced-conversion-sparks-protest-in-sukkur/
- Movement for Solidarity and Peace. (2014). Forced Marriages & Forced Conversions in the Christian Community of Pakistan. Movement for Solidarity and Peace.
- Munshey, M. S. (2015, April 16). *Blasphemy laws and human rights in Pakistan*. Retrieved from Oxford Human Rights Hub: http://ohrh.law.ox.ac.uk/blasphemy-laws-and-human-rights-in-pakistan/
- Pakistan, Y. P. (2015, March). *A report on status of religious minorities in Pakistan*. Retrieved from Youth Parliament Pakistan: http://www.youthparliament.pk/downloads/CR/lawjusticeandhumanrightsstandingcommitteereport.pdf
- Raina, A. K. (2014). Minorities and representation in a plural society: the case of the Christians of Pakistan. *South Asia: Journal of South Asia Studies, Volume 37, Issue 4*, 684-699.
- Rais, R. B. (2007). Identity politics and minorities in Pakistan. *South Asia: Journal of South Asian Studies*, 30:1, 111-125.
- Rashid, Q. (2011). Pakistan's Failed Commitment: How Pakistan's Institutionalized Persecution of the Ahmadiyya Muslim Community Violates the International Covenant on Civil and Political Rights. *Richmond Journal of Global and Business Law*, 1-42.
- Refugees, U. N. (2012, May 14). *UNHCR eligibility guidelines for assessing the international protection needs of members of religious minorities fromPakistan*. Retrieved from Ref World: http://www.refworld.org/pdfid/4fb0ec662.pdf



Reporter, D. M. (2011, March 3). Sprayed with 25 bullets: Pakistan's only Christian minister executed by Taliban gunman after campaigning for free speech. Retrieved from Daily Mail: http://www.dailymail.co.uk/news/article-1362087/Shahbaz-Bhatti-Pakistans-Christian-minister-killed-Taliban-gunman.html

Titus, P. (2015, April). A toll on the soul: costs of persecution among Pakistan's Christians. *International Bulletin of Missionary Research, Vol. 39, No. 2*, pp. 72-77.

Biography of the author

Farooq Yousaf is a PhD Candidate, specialising in Politics, at the University of Newcastle, New South Wales, Australia. He has also done a Master's in Public Policy from Willy Brandt School of Public Policy, University of Erfurt, Germany. He also consults Islamabad-based Security think tank, Centre for Research and Security Studies, and occasionally writes for various news and media sources on issues such as counter radicalisation, conflict resolution and regional security. He is specializing in Indigenous conflict resolution and counter insurgency. He tweets at @faruqyusaf and can be reached at farukyusaf@gmail.com.