



## Religious Minorities and State in Pakistan

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Today, the minority communities are facing increasing threats to their Human Rights and Security as the State, whenever in need to be seen as legitimate, uses them as a target to generate public support from masses in increasingly radicalizing Pakistan by using religious symbolism and methods to justify their rules and policies. Increasing intolerance against them also stems from the fact that the state has actively created laws that leaves minorities in Pakistan easily persecuted and basically makes them a second class citizen. It is also increasing intolerance in a society already extremized on religious and linguistic grounds.

These extremist features of society cannot be seen in isolation, without taking into account the historical factors leading to this deformity.

After the failed attempt to independence in 1857, prominent muslim leaders like syed ahmad khan started propagating about the separate and unique status of muslims in india which was not in accordance with the majority hindu population<sup>1</sup>. Syed ahmed khan also believed that the muslims should not act against the British and remain loyal to them. After the formation of Indian National Congress, Syed Ahmad Khan remarked in December 1887, "Now suppose that all the English were to leave India- then who would be the rulers in india? Is it possible that under these circumstances two nations, Mohammadans and Hindus, could sit on the same Throne and Remain in power? Most certainly not! It is necessary that one of them should conquer the other and thrust it down. To hope that both could remain equal is to desire the impossible and inconceivable"<sup>2</sup>.

In 1906 the British gave its full support to the formation of a political party known as The Muslim League. Mohammad Ali Jinnah, the leader of Muslim League put forward his two-nation theory in which he argued that Muslims were a separate nation and they should be allowed to have their own independent homeland where they can practice and live according to the tenets of Islam<sup>3</sup>. In 1933 Choudhry Rahmat Ali created the hybrid name "Pakistan- taking P from Panjab, A from Afghanistan (which was then NWFP), K from Kashmir, S from Sindh and TAN from Baluchistan, drawing a circle around the northern provinces of India<sup>4</sup>. On March 23, 1940 the Muslim League announced Lahore Resolution also known as Pakistan Resolution. Jinnah delivered a detailed address, "Musalmans are a nation according to any definition of a nation, and they must have their homeland, their territory and their State"<sup>5</sup>. At the end of July 1946, Jinnah held a press conference at his Bombay home, where he

<sup>1</sup> Rashid, Abbas. Pakistan: the Ideological Dimension in Khan, Asgar (ed.) Islam, Politics and the State: the Pakistan Experience (UK: Zed Books Ltd, 1985) p. 73.

<sup>2</sup> Hussain, Akmal. Pakistan: the Crisis of State in Khan, Asgar (ed.) Islam, Politics and the State: the Pakistan Experience (UK: Zed Books Ltd, 1985) p. 196-197.

<sup>3</sup> Zaidi, S. Akbar, Religious Minorities in Pakistan Today, Journal of Contemporary Asia, Vol. 18, No. 4, 1988, p.446.

<sup>4</sup> Editors, Charles River. The Partition of British India: The History and Legacy of the Division of British Raj into India and Pakistan (Create Space Independent Publishing Platform, 2017) p. 17.

<sup>5</sup> Ibid, p. 17-18.

declared once again his intention of creating Pakistan, indicating generally that, if necessary, a violent struggle would be the means by which this would be achieved. When asked to specify, Jinnah responded with the comment, "Go to the Congress and ask them their plans. When they take you into their confidence I will take you into mine. Why do you expect me alone to sit with folded hands? I also am going to make trouble"<sup>6</sup>. He announced the next day, August 16, 1946 as the 'Direct Action Day'. The violence continued for several days mainly in Calcutta and then spreading its tentacles in other parts of the sub-continent as well. In the aftermath, the British brokered coalition government collapsed, and Jinnah announced an end to constitutional methods. "Today we have forged a pistol," he declared. "And [we] are in a position to use it"<sup>7</sup>. What followed is considered as one of the worst events of genocide and ethnic cleansing in all of human history.

There was nothing common between the regions of East and West Pakistan. They have completely different culture and language; even with West Pakistan provinces like Sindh were as different from NWFP. Islam was the common factor among them. It is important to be mentioned here as this in future became another tool used by the Pakistani State to impose its rule resulting into the creation of a new nation.

Earlier these views were reflected in the passing of the Objective Resolution in March 1949 introduced by Liaquat Ali Khan in 1949, which established the guiding principles of nation's future constitution. Objective Resolution described Pakistan as an Islamic State and actively excluded the minorities present in the nation<sup>8</sup>.

After partition, the demographic and religious content of the region changed dramatically. We can take the example of Karachi (between 1941 and 1951) the population increased in a massive proportion from 365,300 to more than 1 million. The Muslim population increased from 42% to 96.1% and the Hindu population, which outnumbered Muslim population in 1941, were reduced from 47.6% to less than 1% in 1951. 15% of the total population of West Pakistan in 1951 was from Hindu community<sup>9</sup>. The Hindu and Sikh population of Pakistan were always considered a second grade citizen even along with others as they were not considered as 'people of the book' (Ahl-al Kitab)<sup>10</sup>. These minority communities were systematically marginalised and discriminated against in various social, economic, cultural and economic fields. An increasing level of violence, most notably, religious ones motivated kidnapping, assassinations, rape and forceful conversion and in most cases were supported by government agencies in some form or the other.

In 1953, widespread violence spread out against the Ahmadis across Pakistan and martial law was declared<sup>11</sup>. Ahmadis are also known as Mirzais and Qadianis believed that their prophet, Mirza Gulam Ahmad appeared in late 19<sup>th</sup> century to reform Islam. Majority Sunni population could not accept it and Ahmadi community was targeted with most violent attacks all over Pakistan. Later in September 1974, facing decades of persecution, Bhutto Government declared Ahmadis' no longer a part of Islam but a minority because they did not believe in the 'Finality of Prophet Mohammad'.

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<sup>6</sup> Ibid, p. 20.

<sup>7</sup> Ibid, p. 20

<sup>8</sup> A Question of Faith: A Report on the Status of Religious Minorities in Pakistan, Islamabad, Jinnah Institute Research Report, 2011, p. 15.

<sup>9</sup> Census of Pakistan 1951, Chapter 5, Statement 5-B.

<sup>10</sup> Gregory, Shaun R. and Valentine, Simon R. Pakistan: The Situation of Religious Minorities, United Nations High Commissioner for Refugees, Status Determination and Protection Information Section, May 2009, p. 9.

<sup>11</sup> Rais, R.B. Identity Politics and Minority in Pakistan, Journal of South Asian Studies, Vol. 30. No. 1, 2007, p. 114.

The first Constitution of Pakistan was adopted on 23 March 1956. It largely was formed on the ideas put forth in the Objectives Resolution, which served as its preamble, and designated Pakistan as an 'Islamic Republic'. The opening sentences of the Preamble<sup>12</sup>, namely:

(a) Whereas sovereignty of the entire Universe belongs to Allah Almighty alone....

(b) Wherein Muslims of Pakistan should be enabled individually and collectively to order their lives in accordance with the teachings and requirements of Islam as set out in the Holy Qur'an and Sunnah;

However, before the Constitution could effectively be institutionalized, President Iskander Mirza declared martial law on 7 October 1958 and shortly afterwards the Commander-in-Chief of the army, General Ayub Khan, took power through a military coup<sup>13</sup>. This martial law in Pakistan came to an end when Khan put forward the 1962 Constitution.

According to the first census (1951) held after the creation of Pakistan, in the then western Pakistan, there were 32.7 million Muslims out of a total population of 33.7 million. They constituted 97% of the population. The (In) significant minorities were 530,000 (1.6%) Hindus and 432,978 (1.3%) Christians<sup>14</sup>. While talking about the migration from Pakistan to India from 1941-51, one pattern can clearly be noted that more Hindus left Pakistan than Christians. It was due to the fact that Christians expected better treatment than Hindus as they were Ahle-Kitab (people of the book) which the Hindus were not<sup>15</sup>.

The population of East Pakistan consisted of 32.2 million Muslims, 9 million (22%) Hindus and rest mainly Buddhist out of a total population of 42 million. Thus at the time of partition, the total population of Pakistan consisted of 85.9% Muslims, 12.9% Hindus and 1.2% mainly Christians and Buddhists.

The census of 1961 was more or less the same but a major point to note was that in 1951 the Muslim population in East Pakistan was 76% which increased dramatically to 80% in 1961<sup>16</sup>.

Tensions between East and West reached a crisis point in Pakistan in 1971 under the Martial Law of General Yahya Khan (successor of General Ayub Khan), when a civil war resulting to an independent Bangladesh in what was formerly East Pakistan. Zulfikar Ali Bhutto, was appointed President in 1971 and would later become the country's Prime Minister upon the implementation of the 1973 Constitution (this version remains in place today, though heavily modified in the coming years, particularly under Zia). The Objectives Resolution was retained as the Preamble to the constitution, which declared Pakistan as an Islamic state. The Constitution of Pakistan also makes it mandatory that the President<sup>17</sup> and Prime minister<sup>18</sup> of the nation must be a Muslim. The original 1973 Constitution retained all the Islamic provisions of the 1956 Constitution. . It stated:

Article 227 (1) All existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Quran and Sunnah, in this part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions.<sup>19</sup>

<sup>12</sup> The Preamble, The Constitution of the Islamic Republic of Pakistan, National Assembly of Pakistan.

<sup>13</sup> Malik, I.H. Religious Minorities in Pakistan (London: Minority Rights Group International, 2002) p. 7.

<sup>14</sup> Census of Pakistan 1951, Government of Pakistan, Karachi.

<sup>15</sup> Zaidi, S. Akbar, Religious Minorities in Pakistan Today, Journal of Contemporary Asia, Vol. 18, No. 4, 1988, p.448.

<sup>16</sup> Census of Pakistan 1961, Government of Pakistan, Karachi.

<sup>17</sup> Part III, Chapter 1, Article 41(2), The Constitution of Islamic Republic of Pakistan.

<sup>18</sup> Part III, Chapter 3, Article 91(3), The Constitution of Islamic Republic of Pakistan.

<sup>19</sup> Part IX, Article 227(1), The Constitution of Islamic Republic of Pakistan.

Later, General Zia-ul-Haq regime with its own extreme religious inclinations further strengthened extremist religious parties like the Jamat-e-Islami and the Jamiat Ulema-e-Islam. During his regime Zia introduced several amendments which altered the 1973 Constitution to a large extent and made it more rigid against minority freedom and Rights as a citizen of Pakistan. The Ahmadis, Hindus and Christians have all fallen victim to the controversial Section 295-C of the Pakistan Penal Code dealing with blasphemy<sup>20</sup>. The minority community has been under constant threat from Muslim extremists, with mass attacks being carried out in their prayer places and target killings taking place in various parts of the country. After the army takeover of Pakistan in 1977, the military rule got the support of rightwing extremist groups. Islamic Laws with all its extremes like public whipping and chopping of hands, was imposed. In this environment where many Muslims too felt oppressed, the position of religious minorities became even worse.

The Census of 1981 stated that 96.7% of 84 million people are Muslims; Christians were the largest minority with (1.55%) 1.3 million while 1.28 million were Hindus. Ahmadis were declared non-Muslims in 1974 and thus were accounted separately (0.124%) of Muslim population. Most of them (61%) living in Punjab.<sup>21</sup> This kind of discrimination can be exemplified by the fact that Pakistan's only Nobel Laureate, Dr. Abdul Salam was not received at Islamabad University because he was an Ahmadi<sup>22</sup>.

Sindh relatively had the largest share of non-Muslims as 1.22 million (6.4%) were Hindus. This region also constituted 96% of total hindu population in Pakistan, 81% of them living in the rural areas. "Even today as the 20<sup>th</sup> Century comes to a close, most Muslims will not eat or drink with Hindus, and nor will they even touch their eating utensils. This intense discrimination is manifested at all levels and all forms. Hindus form one of the poorest and most exploited communities in the country"<sup>23</sup>.

Further amendment to Article 260 was made through the Third Amendment Order, 1985, wherein clause 3 was replaced by clause 3(a) (b) thereby giving a definition of Muslim and non-Muslim. It now read as follows: (The Constitution (Third Amendment) Order, 1985, (P.O.No.24 of 1985).

Article 260 (3) In the Constitution and all enactments and other legal instruments, unless there is anything repugnant in the subject or context,-

(a) "Muslim" means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets, and does not believe in, or recognize as a prophet or religious reformer, any person who claimed or claims to be a prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him); and

(b) "non-Muslim" means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi community, a person of the Qadiani Group or the Lahori Group who call themselves 'Ahmadis' or by any other name or a Bahai, and a person belonging to any of the Scheduled Castes.<sup>24</sup>

The phrase "glory of Islam" has been referred to in Article 19 of the 1973 Constitution of Pakistan. Article 19 of the Constitution states that:

<sup>20</sup> Section 295-C, Chapter XV of Offences Relating to Religion, Pakistan Penal Code, 1860.

<sup>21</sup> Census of Pakistan 1981, Government of Pakistan.

<sup>22</sup> Khan, Ilyas M, Why has this Nobel Winner been ignored for 30 Years? BBC News, December 8, 2016. <https://www.bbc.com/news/world-asia-38238131>.

<sup>23</sup> Zaidi, S. Akbar, Religious Minorities in Pakistan Today, Journal of Contemporary Asia, Vol. 18, No. 4, 1988, p.453.

<sup>24</sup> The Constitution (Third Amendment) Order, 1985, (P.O.No.24 of 1985), Chapter 5, Article 260, Clause 3(a)(b).

Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the Press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of Court, [commission of] or incitement to an offence.<sup>25</sup>

The Preamble of the Qanun-e-Shahadat Order, 1984 (Law of Evidence) dictates that the prevailing laws would be revised, Consolidated and amended to bring it into conformity with the injunctions of Quran and Sunnah<sup>26</sup>. It further states in Chapter 2 on Relevancy of Facts of Witness that : ... the Court shall determine the competence of a witness in accordance with the qualifications prescribed by the injunctions of Islam as laid down in the Holy Qur'an and Sunnah for a witness, and, where such witness is not forthcoming, the Court may take the evidence of a witness who may be available.<sup>27</sup>

This Article sets out standards for a witness and states that a witness is competent if s/he fulfils the qualifications prescribed by the injunctions of Islam as laid down in the Holy Quran and Sunnah. This law is discriminatory for followers of other religions as they would fail the standard set out to qualify as a competent witness in the said law and since it applies to all the judicial proceedings before any court or other judicial/quasi-judicial forums.

Article 17 (Competence and number of witnesses) of the same Order states: The competence of a person to testify, and the number of witnesses required in any case shall be determined in accordance with the injunctions of Islam as laid down in the Holy Qur'an and Sunnah.<sup>28</sup>

This Article emphasizes on the competency of a witness if s/he fulfils the requirement ordained by Quran and Sunnah. This is discriminatory and oppressive by law towards the followers of other religions. "It is clear that the constitutional and legal position makes religious minorities unequal under law, an inequality which includes the testimony of religious minorities being entirely excluded from some courts at the discretion of judges, their testimony being granted less weight than Muslim testimony, and - in practice- penalties for convicted members of religious minorities often being more severe than the penalty for Muslims for equivalent crime. While religious minorities in Pakistan formally pay no Jizya (poll-tax) the inequalities in the law in practice allow unscrupulous Muslims to drive religious minorities from the land, to seize their property and to take them into bonded labour and slavery."<sup>29</sup>

Zia's extensive program of Islamization included the enforcement of the Hudood Ordinances, the Qanun-e-Shahadat Order 1984 and Ordinance XX of 1984. The last enactment forbid Ahmadis from 'posing' as Muslims and makes acts like the use of any titles and modes of address specific to the Muslim community such as greeting "As-salamu alaykum" or reciting the six Kalimas (Shahada) etc. punishable.<sup>30</sup>

The laws relating to the offences with respect to religion were introduced in the Indian Penal Code by the British Government. The law was renamed as Pakistan Penal Code (PPC) after 1947. Further

<sup>25</sup> Part II, Chapter 2, Fundamental Rights and Principles of Policy, Article 19, The constitution of Islamic Republic of Pakistan.

<sup>26</sup> Preamble, The Qanun-e-Shahadat Order, 1984 [P.O.NO. 10 OF 1984] Gazette of Pakistan, October 28, 1984.

<sup>27</sup> Chapter II, Article 3, The Qanun-e-Shahadat Order, 1984, Gazette of Pakistan, October 28, 1984.

<sup>28</sup> Article 17, The Qanun-e-Shahadat Order, 1984, The Gazette of Pakistan, October 28, 1984.

<sup>29</sup> Gregory, Shaun R. and Valentine, Simon R. Pakistan: The Situation of Religious Minorities, United Nations High Commissioner for Refugees, Status Determination and Protection Information Section, May 2009, p. 8.

<sup>30</sup> Religious and Ahmadi-specific Laws, Ordinance No. XX of 1984, The Gazette of Pakistan, Ministry of Law and Parliamentary Affairs, Islamabad, April 26, 1984.



amendments to “Offences relating to Religion” were made during General Zia-ul-Haq’s regime. These laws were directed at protecting the most extreme form of Islamic interpretations.

Some argue that criticism of Islam is prohibited by the 1973 Constitution of Pakistan. Article 2 states that “Islam shall be the State religion of Pakistan.”<sup>31</sup> Article 31 provides for an “Islamic way of life.”<sup>32</sup> Article 19 places a restriction on free speech if it is “prejudicial to the glory of Islam.”<sup>33</sup> A challenge to any of the provisions on the offences against religion in the courts of Pakistan is difficult. The Supreme Court of Pakistan already agreed to the amendments carried out in the PPC punishing Ahmadis, if suspecting them of portraying as Muslims or if they use Islamic symbols.

The law of blasphemy is being used as an instrument for personal animosities, property disputes, political rivalry, forced conversion and religious differences. The police are highly prejudiced in blasphemy cases. There are various examples of accused killed in custody or prison. The murderers glorified, as seen in case of Governor of Panjab, Salman Taseer, killed by own official guard<sup>34</sup>. Such practices include killing the accused, lawyers representing them, judges or for that matter anyone supporting them. Those accused and then acquitted are unable to return to their neighbourhoods due to the lack of law and order. Often the judiciary and the police, in fear for their own lives and to prevent outbreaks of violence submit to zealous religious extremists. The accurate record of blasphemy cases is not available. These cases are brought to light by Human Rights Groups and certain Part of Media and hence the exact number of these cases is difficult to find.

One of the recent cases grabbed by international media was of Aasia Bibi, a Christian, sentenced to death by a District and Sessions Court in 2010 and fined Rs. 300,000. She was accused having defamed the Prophet Muhammad in front of Muslim neighbours. The women were already involved in a dispute over sharing of drinking water. It is reported that a local Muslim leader made a public announcement using the loudspeakers of the mosque that Aasia had committed blasphemy. She was beaten by the other civilians in the village. Charges under Section 295-B and C were filed against her. Her sentence was upheld by the High Court and judges noted that her legal counsel did not conduct the trial professionally as proper cross examination of the witnesses was not carried out.<sup>35</sup> It was the Aasia’s case that prompted the Governor of Punjab Salman Taseer to visit her in jail and sympathise with her. He insisted she was framed. His act was considered blasphemous and he was later killed in 2011. The Supreme Court in October 2018 decided to overturn the conviction of Aasia Bibi amidst international outcry and she finally managed to leave the Country. This in turn led to nationwide protest and violence led by Tehreek-i-Labbaik Pakistan (TLP)<sup>36</sup>.

The onset of cold war in South Asia began with the Afghan invasion by the Soviet Union. The coming years saw a great flow of military and economic assistance by Saudi Arabia and the US into Pakistan to train the Mujahedeen (holy warriors) to wage Jihad against godless communists<sup>37</sup>. As a result this period saw increase in number of Madarsas that preached and propagated Jihad against infidels (non-Muslims) with the backing of government of Pakistan. According to Ayesha Siddiq, a number of sectarian militant outfits emerged during this time. Most notable was the rise of Harkat ul Jihad ul

<sup>31</sup> Part I, Chapter 1, Fundamental Rights, Article 2, the constitution of Islamic Republic of Pakistan.

<sup>32</sup> Part II, Chapter 2, Principles of Policy, Article 31, the constitution of Islamic Republic of Pakistan.

<sup>33</sup> Part II, Chapter 1, Fundamental Rights, Article 19, The constitution of Islamic Republic of Pakistan.

<sup>34</sup> Punjab Governor Salman Taseer assassinated in Islamabad, BBC News, January 4, 2011.

<https://www.bbc.com/news/world-south-asia-12111831>

<sup>35</sup> The State v. Ms. Aasia Bibi wife of Ashiq, Caste Christian, Resident of Ittanwali Chak No .3. PS Sadar Nankana Sahib (Case FIR No.326/2009).

<sup>36</sup> Mirza, Zaffar A. Religious Minorities in ‘Naya Pakistan’, The Diplomat, Mrch 16, 2020.

<https://thediplomat.com/2020/03/religious-minorities-in-naya-pakistan/>

<sup>37</sup> Siddiq, Ayesha. The New Frontiers: Militancy & Radicalism in Punjab, Centre for International and Strategic Analysis, 2013, p.6.

Islami (HuJI) and Sipah I Sahaba Pakistan (SSP) which later split to Lashkar e Jhangvi (LeJ) in 1990's<sup>38</sup>. While these outfits were created to fight in Afghanistan and Kashmir, they were frequently used to launch violent attack on minorities mainly against Shia and Ahmadi communities among others in 1990s. The US led invasion of Afghanistan in 2001 and crackdown on Taliban allowed these terrorist organisation to broaden its spread with the same narrative of Jihad against Soviet Union. These terrorist outfits grew initially in the Federally Administered Areas of Pakistan (FATA), bordering Khyber-Pakhtunkhwa (KP) and spread throughout Punjab.

Under the Zia regime, already deeply rooted discrimination and oppression of religious minorities gained more power and platform at the public space.

Iftikhar Malik attributed the problems of religious minorities to the large and spacious political tendency of Islamization in the state of Pakistan, particularly since the 1970s and 1980s. Ahmed Salim observes that laws regarding the religious minorities have turned a number of non-Muslims into second class citizens<sup>39</sup>.

In 2009, Taliban told that minorities have got protection by paying the Jizya. In result of this, a large number of Sikhs and Hindus left tribal areas and migrated to other places. Increasing religious fervours is another factor which is used by the opponents of non-Muslims by individually and collectively to stimulate state of hysterics<sup>40</sup>. It is noticeable the Christians, out of the fear of discrimination, do not now give their children full names or even suffix the Muslim names with Masiah<sup>41</sup>. Nothing can be more frightening than the fact that the state of Pakistan and its support for terrorist outfits not only make its minorities helpless and unprotected, it directly results to increasing socially accumulated hatred and practice of exclusion towards them.

Religious minorities are tied to an outside region and are targeted for actions of those States, like-Christians are regarded as proxies for the West and Hindus as proxies for India in the state of Pakistan<sup>42</sup>. Different ways are used to affect the minorities, for example, the Muslim children reading these textbooks see citizenship intertwined with religious identity. Text books reveal Hindus in prejudiced manner<sup>43</sup>. The textbooks provide deceptive and distorted information that is structurally and systematically spread. They distort history, politics and social studies to raise feelings of hate for India, to give active help and encouragement for hostile nationalism and to justify the policies of the state by using the tool of Islam<sup>44</sup>.

The Census of Pakistan in 1998 stated that Muslims comprise 96.28% of the total population. Punjab, NWFP and Balochistan were mainly Muslim provinces each having 99.44%, 97.22% and 98.75% of the Muslim population. Sindh province comprised of 91.32% Muslims and 6.51% Hindus<sup>45</sup>.

Based on the 1998 census, Pakistan's National Council for Justice and Peace (NCJP) examined minorities' literacy rates. According to the NCJP's report for 2001, the average literacy rate among

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<sup>38</sup> Ibid, p. 5-6.

<sup>39</sup> Rahman, Tariq. Pakistan's policies and practices towards Religious Minorities, South Asian History and Culture, Vol. 3, No. 2, March 23,2012, p. 302-315.

<sup>40</sup> Ibid.

<sup>41</sup> Khan, Hamid. Constitution and Political History of Pakistan (Karachi: Oxford University Press, 2009) p. 784.

<sup>42</sup> Gregory, Shaun R. and Valentine, Simon R. Pakistan: The Situation of Religious Minorities, United Nations High Commissioner for Refugees, Status Determination and Protection Information Section, May 2009. P. 16-17.

<sup>43</sup> Rahman, Tariq. Pakistan's policies and practices towards Religious Minorities, South Asian History and Culture, Vol. 3, No. 2, March 23,2012, p. 302-315.

<sup>44</sup> Ibid.

<sup>45</sup> Census of Pakistan 1998. Islamabad: Population Census Organization Statistics Division.

Christians in Punjab was 34 per cent, compared to the national average of 46.56 per cent. Among minority women, the rate was drastically low. The average literacy rate among the upper caste Hindus, scheduled castes and others (including Parsis, Buddhists, Sikhs and nomads) was 34 per cent, 19 per cent and 17 per cent, respectively. Similarly, on the other socio-economic indicators, minorities were mostly found lagging much behind the dominant population<sup>46</sup>.

In October 1999, another military takeover by General Pervez Musharraf brought to an end the period of civilian rule in the country. Guided by a programme of 'enlightened moderation'<sup>47</sup>, During Musharraf's rule, Pakistani Christians in particular were the main targets of religious extremists in Pakistan due to 'War on Terror' and the alignment of Pakistan into this American led alliance.

The May 2013 election brought into place a Pakistan Muslim League (Nawaz) (PML-N) majority government led by Nawaz Sharif but the condition of minorities continued to worsen. The Human Rights Commission of Pakistan (HRCP) notes that 2013 was one of the most difficult years for Christians in the country<sup>48</sup>. In 2014 the Ahmadi and Hindu communities of Pakistan experienced a 'surge of violent attacks'<sup>49</sup>. Those who attempt to defend or speak out for religious minorities such as lawyers, journalists and activists continued to remain unsafe as evidenced by the murder of HRCP regional coordinator and lawyer Rashid Rehman in May 2014<sup>50</sup>.

The widespread prevalence of forced conversion and force full marriage of minority women has made these communities extremely venerable. Though it is not possible to determine the accurate numbers due to various reasons prevalent in Pakistani social and political structure, recent estimates suggest that at least 300 Hindu women and between 100 to 700 Christian women are victims of forced conversion and marriage every year<sup>51</sup>. These coercive conversions and marriages predominantly take place all over Pakistan and the highest incidents are reported in Sindh province. According to the Asian Human Rights Commission (AHRC), between 20 and 25 Hindu girls are abducted and forcibly converted to Islam each month in this region alone<sup>52</sup>.

Through its creation, Pakistan has seen a continuous erosion of tolerance against minorities. At the end of 2013, MRG in its report highlighted that Pakistan was at the top of its "Peoples under Threat" Global ranking<sup>53</sup>. During the same period Pew Research Centre published a report stating that "Pakistan had the highest level of social hostilities involving religion"<sup>54</sup>.

<sup>46</sup> Human Rights Monitor ,NCJP, Lahore, 2001, p. 11.

<sup>47</sup>Pervez Musharraf, Islam and West: Time for Enlightened Moderation, Yale Global Online, June 2, 2004. <https://yaleglobal.yale.edu/content/islam-and-west-time-enlightened-moderation>.

<sup>48</sup> State of Human Rights in 2013, Human Rights Commission of Pakistan. Lahore, 2014, p. 85.

<sup>49</sup> UN News Centre, 'UN rights experts call for urgent measures to protect Pakistan's religious minorities', 2 June 2014 <https://news.un.org/en/story/2014/06/469742-un-rights-experts-call-urgent-measures-protect-pakistans-religious-minorities>

<sup>50</sup> Buncombe, A. 'Pakistani lawyer Rashid Rehman murdered after taking on blasphemy case', The Independent, May 8, 2014 <https://www.independent.co.uk/incoming/pakistani-lawyer-rashid-rehman-murdered-after-taking-blasphemy-case-9341021.html>

<sup>51</sup> Report on Forced Marriages and Forced Conversions in the Christian Community of Pakistan, Movement for Solidarity and Peace, Karachi, 2014, p. 12-13.

<sup>52</sup> 'Pakistan: the failure of the judicial system – another Hindu girl was forcibly converted to Islam and her whereabouts are unknown', Urgent Appeal Case: AHRC-UAC-042-2012. Asian Human Rights Commission, March 7, 2012. <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-042-2012/>

<sup>53</sup> MRG Condemns attack on Christians in Pakistan and Call for increased Protection of Minorities in the Country, Minority Rights International, 23 September 23, 2013. <https://www.refworld.org/docid/55fbdc6b4.html>

<sup>54</sup> Religion and Public Life Project, Religious Hostilities Reach Six-Year high, Pew Research January 14, 2014. <https://www.pewforum.org/2014/01/14/religious-hostilities-reach-six-year-high/>



The current ruling Pakistan Tahreek-e-Insaf (PTI) government, which came to power in August 2018 under the leadership of Imran Khan Niazi, talks about 'naya Pakistan' tolerant of others but religious minorities remain discriminated against like always. Pakistani Prime minister's reference to Osama bin Laden as 'martyr' focuses light on this myth<sup>55</sup>. At least 31 members of minority community have been killed and 58 injured in targeted attacks and 25 blasphemy cases have been filed. According to one claim 509 Shia Hazaras have been killed in violence since 2012, 24 in last year alone<sup>56</sup>.

Discrimination and Violence against Pakistan's Hindu community continues under the PTI government. According to Human Rights Commission of Pakistan, around 1,000 young Hindu, Sikh and Christian women are forced to change their religion to Islam every year<sup>57</sup>. Recent Attacks and massive demonstrations against Shia community in September 2020<sup>58</sup> is one such example of continuing and increasing intolerance against religious minorities in Pakistan.

It is clear from these incidents that religious minorities in Pakistan experience life as a second class citizen. They are subjected to physical attacks, forced conversion, social stigmatization and are powerless to do anything about their circumstances. Faith based hostility, abduction and insecurity is a part of their daily lives and they find themselves least protected by the Pakistani State.

This sad state of affair can only be altered if the government in power, first of all, amend various rules and laws discriminating against religious minorities. Amendment to or repealing of the blasphemy laws and the laws of evidence can be the first step in this regard. Proportionate and proper representation of minorities in all government institutions must be introduced. The state needs to make serious commitment to defend the rights and interests of minorities and also strengthen law and order willing to take severe steps against the violators including members of Police, Security forces and Army. The school curriculum must be revised towards inclusive and pluralist representation of minorities and their belief and practices. These reforms would be useless if the society at large does not become more inclusive and tolerant as laws without public consent can remain solely on paper. There needs to be more awareness among masses about religious minorities and any kind of radicalism and extremism must be shunned out of society both by institutions and people at large. But the first thing needed here is to delink state and its machinery used as a tool to promote and export extremist views and terrorism because even if the present religious minorities are made to vanish completely, this cycle will not end. Some other group will take its place and Pakistan will be a place where only chaos thrives.

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<sup>55</sup> Gannon, Kathy, Minorities Under Attack as Imran Khan pushes 'tolerant Pakistan', The Diplomat, July 16, 2020. <https://thediplomat.com/2020/07/minorities-under-attack-as-prime-minister-imran-khan-pushes-tolerant-pakistan/>

<sup>56</sup> Sharma, Pulkit. Pakistan's stance on religious minorities exposes its hypocrisy, WION, August 11, 2020. <https://www.wionews.com/south-asia/pakistans-stance-on-religious-minorities-exposes-its-hypocrisy-319797>

<sup>57</sup> Mirza, Jaffar A. Religious Minorities in 'Naya Pakistan', The Diplomat, March 16, 2020. <https://thediplomat.com/2020/03/religious-minorities-in-naya-pakistan/>

<sup>58</sup> Shahid, Kunwar Khuldune. What Role does the State Play in Pakistan's Anti-Shia Hysteria?, The Diplomat, September 17, 2020. <https://thediplomat.com/2020/09/what-role-does-the-state-play-in-pakistans-anti-shia-hysteria/>

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