

# report

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## Searching for Security: The Rising Marginalization of Religious Communities in Pakistan





### Hazara solidarity protest, Islamabad, 2013.

Tanqeed Magazine – [www.tanqeed.org](http://www.tanqeed.org).

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# Searching for Security: The Rising Marginalization of Religious Communities in Pakistan

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# Key findings

## Key findings

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|--|---|
| <ul style="list-style-type: none"><li>• Despite some recent signs of progress in Pakistan, there continues to be high levels of religious discrimination in the country. Drawing on an extensive review of the literature and interviews with a range of activists and stakeholders, this report highlights the daily challenges faced by Ahmadis, Christians, Hindus and other groups in the country.</li></ul>   | <ul style="list-style-type: none"><li>• Prejudice and negative stereotypes are being actively disseminated against religious communities in a range of contexts, including in some mosques and classrooms, as well as in certain media outlets. Though many Pakistanis do not subscribe to these views, the failure of authorities to curb the spread of negative stereotypes and hate speech is directly affecting their representation. This in turn is reinforcing inequalities in employment, service access and other areas.</li></ul>   |
| <ul style="list-style-type: none"><li>• Violent attacks against religious minorities occur against a backdrop of legal and social discrimination in almost every aspect of their lives, including political participation, marriage and freedom of belief. These double standards are not in line with Pakistan's international legal commitments and provide a broader enabling context for a climate of near impunity for targeting by extremist groups.</li></ul> | <ul style="list-style-type: none"><li>• The government's ability to ensure the security of all its citizens irrespective of their faith is not only a test of its willingness to preserve its rich social diversity, but will also be a major determinant of Pakistan's future stability. Addressing the root drivers of discrimination, however, will require the active engagement of law enforcement agencies, civil society organizations, media representatives, religious leaders and, most importantly, community members themselves to achieve lasting change in the country.</li></ul> |

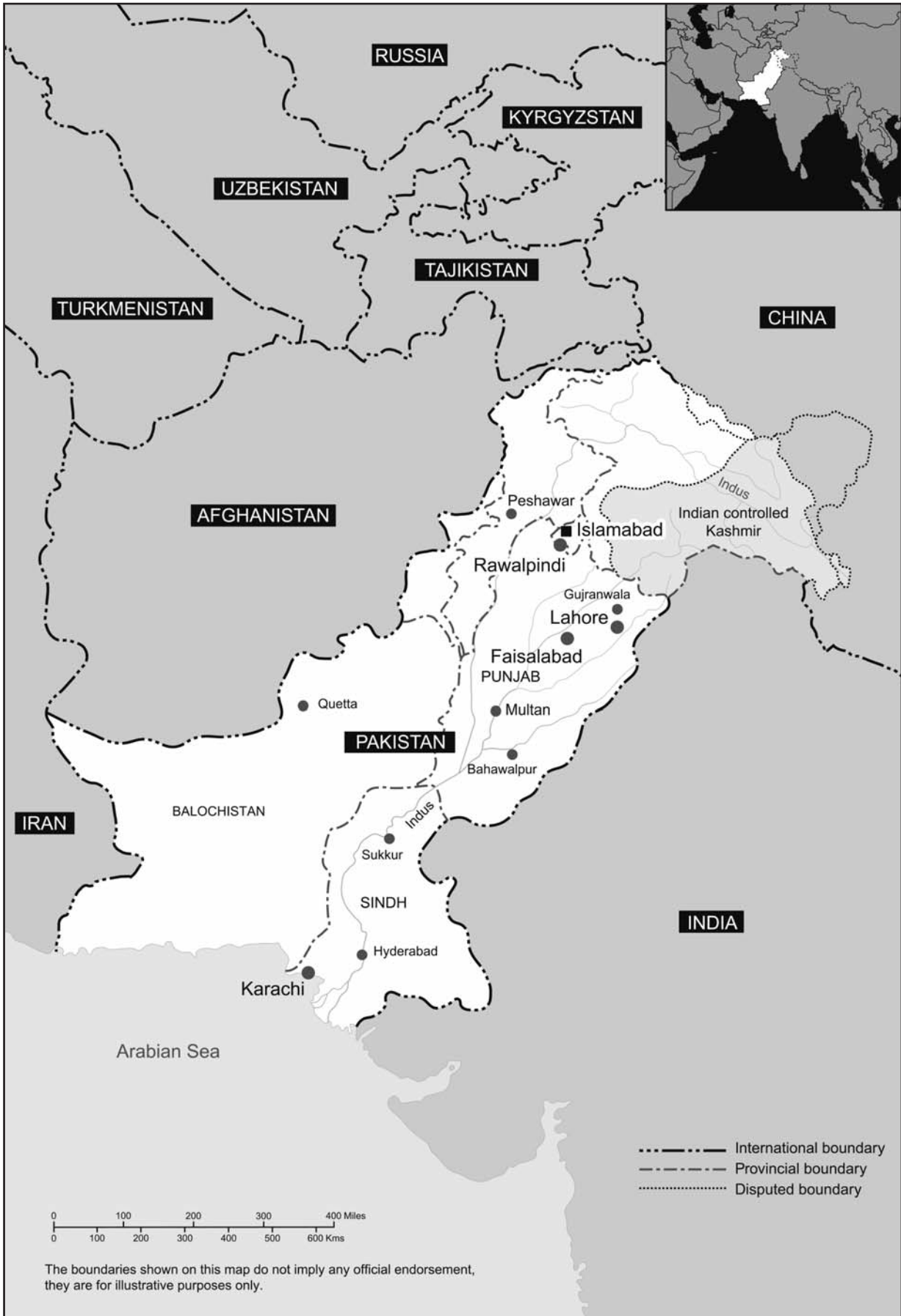
# Executive Summary

Though religious communities such as Ahmadis, Christians and Hindus have suffered discrimination in Pakistan for decades, their persecution has intensified in recent years and has now reached critical levels. Despite some signs of progress, their situation continues to be characterized by denigration, the frequent use of blasphemy laws and increasingly deadly attacks on places of worship. This insecurity not only exposes them to the threat of death and injury, but also reinforces their exclusion from political participation, basic services, education and employment. As a result, large numbers have been forced to emigrate from the country. There has also been an upsurge of sectarian violence against the Shi'a Muslim community, particularly Hazara Shi'a.

Drawing on an extensive review of published research and interviews with a range of activists and representatives, this report explores the key drivers of Pakistan's continued religious discrimination. Among other factors, the report highlights the persistence of deeply entrenched rights gaps in the country's constitution and legal framework. This includes significant barriers to political participation, underdeveloped or non-existent recognition of non-Muslim marriages, unequal judicial procedures and a frequent unwillingness among law enforcement agencies to enforce legal protections against discrimination. In particular, the country's blasphemy laws continue to be applied against many Pakistanis, including disproportionate numbers of religious minority members, with little respect for the rights of those accused and in violation of Pakistan's international legal commitments.

Furthermore, this discrimination translates at a societal level to widespread prejudice against minorities, perpetuated in workplaces, schools, media and even communal burial sites, where, in a number of recent incidents, deceased minority members have been barred or disinterred by local extremists. Hate speech and negative representations of religious minorities remain commonplace in certain media and are still perpetuated in some educational materials. Similarly, religious minorities continue to face barriers in accessing employment opportunities in many sectors, including public organizations, despite the existence of quotas within federal government agencies. They are in fact disproportionately concentrated in poorly paid, stigmatized or exploitative working conditions, including bonded labour.

This backdrop of discrimination enables and facilitates continued violence against religious minorities. Addressing these institutional and social inequalities is essential if security for members of Pakistan's religious minorities is to be restored. Their persecution in Pakistan is both a cause and a symptom of the broader deterioration in human rights and governance. The protection of these groups, in collaboration with civil society groups, religious leaders, law enforcement agencies and other stakeholders, is therefore an urgent priority for the government in its campaign to restore effective governance in the country. Failure to do so will not only continue to threaten the country's diversity, but also the future stability of the country as a whole.



## Pakistan and its neighbours



# Introduction

The situation for many religious communities in Pakistan has become increasingly harsh in recent years. Communities such as Hindus, Christians and Ahmadis have long faced challenges to 'belonging' in Pakistani society and fully participating in the political life of country, and, despite some signs of progress, according to reports on the ground, the situation for minorities continues to deteriorate.<sup>1</sup> According to the annual ranking of Peoples under Threat, produced by Minority Rights Group International (MRG) since 2008, Pakistan has consistently been one of the top 10 countries where the 'large-scale violence' is greatest.<sup>2</sup>

The environment in which minorities find themselves is characterized by hate speech, frequent invocation of blasphemy laws and increasingly violent attacks on places of worship. This is highlighted by recent events such as the September 2013 double bombing of All Saints Church in Peshawar – the deadliest attack ever suffered by the Christian community in Pakistan<sup>3</sup> – and the accusation of blasphemy levelled at 68 lawyers in May 2014.<sup>4</sup> Recent events also show that even the basic freedom of mobility of some religious groups has been curtailed, as made apparent in May 2014 by the murder of a doctor apparently on the basis of him being Ahmadi.<sup>5</sup> An upsurge in violence in the north-west of the country attributed to militant groups has also fed into increasing sectarian

violence against the Shi'a Muslim community, particularly Hazara Shi'a.<sup>6</sup>

This oppressive environment has made it increasingly difficult for many religious communities to live securely and free from danger in places where they have often spent the majority of their lives. As a result, they are regularly pushed to relocate to safer environs in the country or abroad, as highlighted by the large numbers of Pakistani Hindus reportedly emigrating to India each year.<sup>7</sup>

This report brings together primary research and a desk review of recent published material on the situation of marginalized religious groups in Pakistan. It draws on email interviews with 12 rights activists and representatives based in Baluchistan, Islamabad, Khyber Pakhtunkhwa, Punjab and Sindh between June and July 2014, as well as a focus group discussion with five minority members in London in June 2014. The reports also quotes from five interviews with legal advocates and minority members conducted between September 2012 and February 2013 as part of a larger-scale and currently unpublished set of interviews undertaken with more than 40 respondents across Pakistan. For security reasons, the identity of all respondents has been anonymized throughout the report. MRG and the Sustainable Policy Development Institute (SDPI) wish to thank all those who contributed to this research.

# Overview of religious communities

In illuminating the precarious situation faced by many religious communities in Pakistan, it is crucial to avoid stereotypical portrayals of a country which is too easily characterized in over-simplistic terms as 'Islamic' or 'Islamist'. Pakistan is a pluralistic society with myriad religious and ethno-linguistic identities. This diversity has been shaped by ongoing demographic changes throughout its existence. Broadly, however, the proportion of religious minorities in relation to the overall population has drastically declined. The upheaval wrought by partition in 1947 saw an outflow of Hindus and an inflow of Muslims from India. In subsequent decades, but particularly from the 1980s onward, migration has changed the composition of Pakistani society, and many members of minority communities have fled Pakistan to escape persecution and pursue better economic prospects abroad. In Baluchistan, for instance, a spate of recent abductions and murders targeting minority members has contributed to migration among these groups:

*'Their economy has been decreasing day by day and due to that, large numbers of minorities migrated to other places of Pakistan, some of them abroad.... In the current era dozens of minorities and their spiritual leaders are kidnapped for ransom ... as well as so many minority communities ... killed across Baluchistan. Due to that, thousands of minority [members] migrated from Pakistan to India due to feeling insecure in all aspects of life.'*  
Social activist, Khyber Pakhtunkhwa, July 2014

A sense of exclusionary nationalism has also developed in Pakistan, and this has had dire effects on the status and rights of many religious groups in the country. Islam is, of course, not monolithic, and growing emphasis on a particular understanding of 'Muslimness' has severe repercussions not only for non-Muslims but also for intra-Muslim ideological divides and the resulting efforts to identify 'enemies from within'.<sup>8</sup> In addition to the divide between Sunni and Shi'a Muslims, there are further notable subdivisions within Sunni Islam, primarily between Barelvi and Deobandi strands, which are perceived by hardliners to be at odds with one another.

Consequently, in many aspects Shi'a share a common experience of discrimination, persecution, and violence

with other marginalized religious communities in the country. In addition, although there are other smaller religious groups in Pakistan, including Sikhs, Parsis, Zikris, Bahá'í, Buddhists and Kalasha, the largest and most prominent minority religious groups are Hindus, Christians and Ahmadis.<sup>9</sup> This report will focus particularly on these groups. The following is a brief overview of the situation faced by each of these groups.

## Ahmadis

The Ahmadi community in Pakistan comprises approximately 0.22 per cent of the population according to the country's last national census, conducted in 1998.<sup>10</sup> However, Ahmadi population statistics are especially contested. While the community is officially numbered at less than half a million, other sources estimate it at 600,000 and even into the millions.<sup>11</sup> They are relatively well-educated as a group and many make their home in Rabwah, Punjab district. While Ahmadis consider themselves to be Muslims rather than a non-Muslim minority group, they are regarded by many representatives of dominant Islamic groups as heretics and legally prohibited from declaring themselves Muslims. They are unable to exercise the right to vote because, in order to do so, they must declare themselves non-Muslims, which they are unwilling to do. The marginalization and persecution of Ahmadis has reached extreme levels in recent years, and Ahmadis are now the target of a 'sustained and vicious hate campaign'.<sup>12</sup>

Ahmadis live in constant fear of harassment or assault either to themselves or their homes, workplaces and places of worship. For example, in December 2012 suspected militants desecrated 120 Ahmadi gravestones in Lahore,<sup>13</sup> while in March 2013 an Ahmadi family in Kasur was brutally attacked in their home by local clerics after they allegedly refused to convert to Sunni Islam.<sup>14</sup> Later in 2013, a vigilante group forcibly expelled an Ahmadi family from their business premises in an attempt to thwart the production of the Ahmadi-run magazine, *The Weekly Lahore*.<sup>15</sup> In July the same year, at the onset of Ramadan, a group of Sunnis assaulted Ahmadis in Fatehpur, Gujrat, after which they attempted to assert ownership rights over the Ahmadi place of worship.<sup>16</sup>



This hostility has been accompanied by a marked increase in targeted killings of Ahmadis. In a particularly severe incident on 28 May 2010, 94 people were massacred when gunmen attacked two Ahmadi mosques in Lahore.<sup>17</sup> Successive governments have failed to prosecute injustices or provide meaningful protection to Ahmadis. While Ahmadis are frequently sentenced for various dubious charges of blasphemy, the state has repeatedly failed to bring to justice those responsible for numerous attacks against members of the community, including a mob attack on 27 July 2014 on a small Ahmadi settlement that resulted in the deaths of two children and their grandmother.<sup>18</sup>

## Christians

Unlike many Hindus and Sikhs who emigrated to India at the time of partition, Christians for the most part remained in newly-founded Pakistan.<sup>19</sup> According to the 1998 Census, Christians make up approximately 1.59 per cent of Pakistan's total population.<sup>20</sup> In fact, the exact number is unknown and estimates range from less than 2 million to as many as 3 million.<sup>21</sup> There are Christian communities in Khyber Pakhtunkhwa province, including around 70,000 in Peshawar, but the bulk of Pakistani Christians live in Karachi, Lahore, Faisalabad, and numerous small communities in Punjab.<sup>22</sup>

While Christians in Pakistan are overwhelmingly poor – working in menial jobs as cleaners, labourers and farmhands – there are notable exceptions. More than any other non-Muslim religious group, Christians have made significant contributions to social sector development in Pakistan, evident in the building of educational institutions, hospitals and health facilities throughout the country.<sup>23</sup> Yet, like other religious minorities, Christians have faced discrimination and victimization throughout Pakistan's history. This is evident, for instance, in the nationalization of Christian properties and institutions under Zulfikar Ali Bhutto (1971–7). Still largely unaddressed, this has resulted in a loss of control over the very educational and health institutions the Christian community has built.<sup>24</sup>

Since 2001, violence and discrimination against Christians has increased. Seen as connected to the 'West' due to their faith, Christians have at times been scapegoated for the US-led invasion of Afghanistan, as well as the immense human suffering seen as a consequence of interventions in other countries with large Muslim populations.<sup>25</sup> Violence has not abated in recent years, with an unprecedented suicide attack on a Christian church in September 2013. In what was also the largest attack against the Christian community in the country's history, suicide bombers massacred more than 100 people at the All Saints Church in Peshawar as the service was

ending.<sup>26</sup> Prior to this, over 100 Christian homes were destroyed by two large mob attacks against Christian communities in Punjab in March and April 2013.<sup>27</sup> Other cases of violence perpetrated against Christians include land-grabbing in rural areas; abductions, forced conversion and marriage of women; and the vandalizing and torching of homes and churches. In addition, many Pakistani Christians have been convicted of blasphemy under the country's repressive laws.

## Hindus

Hindus in Pakistan account for approximately 1.85 per cent of the country's population according to the 1998 Census<sup>28</sup> – amounting to less than 2.5 million people. However, as with other minority groups, these figures are regarded by community organizations as unreliable and out of date. The Pakistan Hindu Council, for instance, has estimated that the total Hindu population now exceeds 7 million.<sup>29</sup> Of this group, approximately 94 per cent inhabit the province of Sindh, with more than half of Sindhi Hindus concentrated in the south-east district of Tharparkar, bordering India. The remainder of Pakistan's Hindu population reside in small pockets of Punjab, as well as Baluchistan and Khyber Pakhtunkhwa provinces.<sup>30</sup>

Since 1947, levels of animosity towards Hindus have correlated closely with the vicissitudes of Indo-Pakistani relations.<sup>31</sup> Issues and tensions on the international level have fed into the characterization and targeting of Pakistani Hindus as foreign agents. Widespread violence perpetrated against Hindus flared, for instance, in the form of large-scale killings, desecration of temples, and the kidnapping and rape of women during the Indo-Pakistani wars of 1947–8, 1965 and 1971. The destruction of the Babri Mosque in India in December 1992 also led to reprisals against Hindus in Pakistan.<sup>32</sup>

In recent years, Hindus remain not just a target of suspicion but also severely discriminated against and persecuted in numerous ways. Hindu marriages, for instance, are not recognized or registered under Pakistani law, thus allowing for police to make accusations of adultery and demand extortion payments.<sup>33</sup> There have been many recent reported cases of Hindu women being kidnapped and forced to convert to Islam before being coerced into marriages with Muslim men.<sup>34</sup> Desecration of places of worship and burial sites has persisted as well: in October and December 2013 angry mobs in Badin district, Sindh, dug up Hindu graves and disinterred the bodies.<sup>35</sup> Due to mounting threats of violence and poor economic conditions, in April 2013 approximately 500 Hindus reportedly left Pakistan in the hopes of finding safety and security in India.<sup>36</sup> There has also been an alarming rise in attacks on Hindu temples in 2014.

According to the non-governmental organization (NGO) Life for All, there were five attacks in March alone – the

most violent month in terms of attacks on Hindus in two decades.<sup>37</sup>

### The rise of sectarian violence against Shi'a Muslims

Shi'a account for approximately 10–15 per cent of the Muslim population of Pakistan.<sup>38</sup> They include a number of different ethnic groups and can be found throughout the country. Among them, the most vulnerable is the sizeable Hazara population in Quetta due to their ethnicity. Pakistani Shi'a are represented in all walks of life, but in many cases have succeeded in playing prominent roles in Pakistan's cultural sphere and attaining influential, high-profile positions. Though as Muslims they are free from certain restrictions affecting other religious groups, Shi'a are still regarded as apostates by some extremist Sunni groups and individuals. As a result, many face regular hostility from extremists and public calls for members to be killed.<sup>39</sup>

However, there was relatively little strife between Sunni and Shi'a groups until, under General Zia ul Haq, a radical, exclusionary brand of Wahhabism was welcomed into Pakistan.<sup>40</sup> In response to the perceived intent of post-revolutionary Iran to export Shi'a Islam to Pakistan and beyond, Zia tightened ties with Saudi Arabia and soon presided over the widespread dissemination of extremist Sunni ideology through sermons, in madrassas, and via other channels. In 2011 militants sent an open letter to the Shi'a community in Quetta, which numbers around 600,000 people, stating that 'all Shias are worthy of killing' and their intention to 'make Pakistan their graveyard'.<sup>41</sup>

These statements have been accompanied by a systematic campaign of violence directed towards the community in Pakistan, including Shi'a professionals, officials and pilgrims travelling to and from holy sites and

festivals. Between 1999 and 2003, around 600 Shi'a were killed as a result of extremist violence and, in this span of time, approximately 500 Shi'a doctors fled the country as a result of the assassination of more than 50 of their colleagues in Karachi alone. The targeting of Shi'a professionals by militant groups continues to the present day, and in recent years these attacks have been especially bloody. Bombings carried out by militants and terrorist organizations have targeted social gatherings and crowded Shi'a areas with near impunity. There have been no meaningful crackdowns or investigations into the perpetrators of this violence, and police have generally been unable to stop attacks when they occur.<sup>42</sup>

Recent incidents include an attack in August 2012 when 25 Shi'a from Gilgit-Baltistan were forced off a bus travelling from Rawalpindi and summarily executed on the basis of the ID cards they were carrying.<sup>43</sup> More recently, there have been numerous cases of violent attacks against Shi'a – in particular Hazara Shi'a – in 2013. These included, in January, a suicide attack followed by a car bomb in the same location, killing a total of 91 people in Quetta. The following month, another bomb in Quetta's Hazara Town left another 110 dead. In March, two explosions outside a Shi'a mosque in Karachi killed at least 50 people. Another 30 people were killed in a further suicide attack in June outside a mosque in Hazara Town.<sup>44</sup> Similar incidents have occurred during 2014, including a suicide attack in January on a busload of Shi'a pilgrims which left at least 22 dead.<sup>45</sup>

# Historical background

## The foundation of Pakistan

Nearing the end of British colonial rule in India, calls for an independent Pakistani state gained momentum among many Muslims in the east and north-west of British India, who had faced various forms of discrimination at the hands of the colonial power, as well as the majority Hindu population. However, independence came at a significant cost. In August 1947, the end of prolonged imperial rule in Pakistan and India brought about a violent partition that resulted in a death toll of approximately 1.5 million and the forced migration of 20 million people.<sup>46</sup> This, together with the unresolved territorial dispute over the province of Kashmir, initiated what would become a legacy of bitterness between the newly independent countries that continues to negatively affect both Muslims living in India and Hindus living in Pakistan.

Though led by Muhammad Ali Jinnah, the head of the Muslim League and eventually the first leader of an independent Pakistan, the movement for an independent Pakistan was far from monolithic. In British India, Muslims were not a single community but rather were divided by a number of factors, including language, ethnicity and denomination.<sup>47</sup> There were also various ideological differences amongst Sunni Muslims between modernism, reformism, traditionalism, and Islamism – represented by the Aligarh, Deobandis, Bareilvi, and Jamaat-i-Islami (JI) movements, respectively – over what role Islam should play in the future development of the Pakistani state.<sup>48</sup> While Jinnah's vision for an independent Pakistan was informed by a pronounced Muslim identity, it also encompassed protection and equality for its minorities – a stance rejected by some conservative religious leaders and religio-political parties.<sup>49</sup> The question of 'whether Pakistan [should be] a land for Muslims or a nation of Muslims moving towards its destiny as an Islamic state'<sup>50</sup> would remain a deeply divisive political issue in the years to come.

## Building a Constitution (1949–73)

Early efforts to develop a Constitution in Pakistan encountered a variety of obstacles, including the death of Jinnah in September 1948. These difficulties were largely a result of geographic and religious discords, particularly

regional disparities between East and West Pakistan<sup>51</sup> as well as differing opinions on the place Islam should have in the state polity. Notably, religious parties – many of which were initially against the idea of a Pakistani state – now directed their efforts towards pushing for a constitution that would provide the new country with an 'Islamic identity'.<sup>52</sup>

This was reflected in the passing of the Objectives Resolution in March 1949, which established the key principles to guide the development of the country's future constitution. Significantly, in part as an attempt to mollify religious groups, the Objectives Resolution described Pakistan as an Islamic state. Though intended to be primarily symbolic, this definition would later be exploited by some religious groups to promote a narrower sense of nationalism which has actively excluded the country's minorities.<sup>53</sup> This came to the fore a few years later, when the Deobandi *ulema* – whose influence had been strengthened as a consequence of the Objectives Resolution – called for the designation of Ahmadis as non-Muslims and their exclusion from political office. In 1953, following the government's rejection of these demands, widespread violence against Ahmadis broke out across the country.<sup>54</sup>

After more than a decade of framing, the first Constitution of Pakistan was adopted on 23 March 1956. It largely embodied the ideas put forth in the Objectives Resolution, which served as its preamble, and designated Pakistan as an 'Islamic Republic'. A key issue that concerned religious minorities also remained unresolved: whether there should be separate or joint electorates for Muslims and non-Muslims in the country. This provoked significant public debate and further divided liberal politicians and regional parties who were in favour of joint electorates from religious parties such as JI, which rejected them.<sup>55</sup>

However, before the Constitution could be effectively 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>56</sup> Under his rule, the role of the military and the centralized means of administering the country were further entrenched. Though martial law in Pakistan came to an end when Khan put forward the 1962 Constitution, this did not bring about a more inclusive form of governance.<sup>57</sup>

Pakistan's pluralism was further undermined following heightened tensions between East and West Pakistan. These would reach a crisis point in 1971 under the martial law of Ayub Khan's successor, General Yahya Khan, when a civil war began that would bring about an independent Bangladesh in what was formerly East Pakistan. A key outcome was that the overall proportion of Pakistan's Muslim majority increased, as the sizeable Hindu minority in East Pakistan were now part of the newly established country of Bangladesh.

Nevertheless, during this period liberal parties such as the Pakistan People's Party (PPP) and the Awami League (AL) were able to gain influence. The founder of the PPP, 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 it has been heavily modified in the ensuing years, particularly under Zia. With regard to minorities in the country, the new Constitution allowed for their increased representation, with six seats reserved for minorities in the national assembly, and between one and five seats reserved for minorities at the provincial level.<sup>58</sup> Similarly, it institutionalized joint electorates throughout the country and provided additional safeguards for religious minorities.<sup>59</sup>

However, the Constitution also contained certain provisions that continue to marginalize religious minorities to this day. Besides retaining the Objectives Resolution, declaring Islam as the state religion and stipulating that the positions of President and Prime Minister could only be held by Muslims, it also included plans to develop a Council of Islamic Ideology to align national laws with Islamic teachings. These provisions may have been seen as a way to mollify Islamic activists, who were an increasingly powerful force of opposition in the country.<sup>60</sup>

## The growth of religious intolerance (1974–88)

In 1974, violent anti-Ahmadi demonstrations took place in the country following confrontations between students and the Ahmadi community in Punjab.<sup>61</sup> Across the country, Ahmadi families, homes and businesses were targeted on an enormous scale. Echoing the anti-Ahmadi calls in 1953, Jamaat factions demanded that Ahmadis be declared non-Muslims. In this instance, however, rather than resisting these demands, Zulfikar Ali Bhutto passed the Second Amendment to the Constitution declaring Ahmadis a non-Muslim minority. This was a milestone for the growing religious intolerance in Pakistan and was connected to the greater political power possessed by

religious parties at this time, particularly in electoral politics.<sup>62</sup>

Despite Bhutto's efforts to accommodate religious groups, mounting opposition to the PPP emerged from a coalition of anti-PPP parties called the Pakistan National Alliance (PNA) which included religious and right-wing parties, supported by military elements. In response to the PPP victory in the 1977 elections, the PNA led violent street protests which allowed Zia, the Chief of Army Staff, to impose martial law.<sup>63</sup> This initiated the third period of military rule in Pakistan and, for the first time, established a 'military-clerical nexus'<sup>64</sup> in the country. Under Zia's rule, Zulfikar Ali Bhutto was executed and the activities of parties such as the PPP and other pro-democracy initiatives were severely repressed, thereby reducing organised opposition to his policies.<sup>65</sup> In the years that followed until Zia's death in 1988, the country saw the growth of an exclusionary form of nationalism through the acceleration of policies that marginalized minority communities.

Key measures under Zia's programme of 'Islamization', which entrenched a strict interpretation of Sunni doctrine, included further anti-Ahmadi legislation, amendments to the colonial-era blasphemy laws, the reintroduction of separate electorates,<sup>66</sup> and the Islamization of the legal system. Anti-Ahmadi measures were expanded through the introduction of Ordinance XX in 1984. This legislation amended Pakistan's Penal Code (PPC) through the addition of sections 298-B and 298-C, which served to bar Ahmadis from 'directly or indirectly' posing as Muslims, 'propagat[ing] [their] faith', employing Islamic terminology, or using Muslim places of worship.<sup>67</sup> In effect, this law characterized as a criminal offence almost any public act of practising the Ahmadi religion, including 'offering Ahmadi funeral prayers' and 'making the Muslim call for prayer'.<sup>68</sup>

This programme was motivated by Zia's own religious orientation as well as an attempt to gain the backing of religious groups such as the JI who were gaining influence in Pakistan.<sup>69</sup> Their growing influence was helped by the spread of money into the *madrassa* (religious school) network from oil-rich countries in the Middle East, in particular Saudi Arabia – encouraged, in part, by fears of the Shi'a theocracy in post-revolutionary Iran<sup>70</sup> – as well as the US-sponsored support of *mujahideen* in Afghanistan following the USSR's invasion of the country in 1979.<sup>71</sup>

This discrimination on the basis of religion was also further entrenched under Zia with amendments of the PPC through Sections 295-B (1982) and 295-C (1986). These stipulate life imprisonment for anyone who 'defiles, damages or desecrates a copy of the Holy Qur'an... or uses it in any derogatory manner' (295-B) and that 'whoever by words, either spoken or written, or by visible

representation or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine' (295-C). The legislation has frequently been abused due to weak safeguards and the low threshold of evidence required to secure a prosecution, as well as the lack of effective penalties for those who make false accusations. This has exposed religious minorities and Muslims, including social activists and critics, to dubious allegations of blasphemy that often appear to have been driven by personal disputes, political disagreements or economic gain.<sup>72</sup>

The legal situation of religious minorities and women was also undermined by Zia's introduction of the Qanoon-i-shihadah Order in 1984. In effect, this stipulates that the evidence of one male Muslim is equivalent to that of two women or two non-Muslims, thereby making it less difficult for Muslim men – and more difficult for anyone else – to pursue legal proceedings.<sup>73</sup> A Federal Shari'a Court was also established in 1980, with the power to review and determine the conformity of the country's legislation with Shari'a law.

The issue of electorates also came to the fore once again under Zia's regime, which reintroduced separate electorates for religious minorities in the country. Although some argued that separate electorates would do more to ensure minority representation, this system further marginalized religious minorities under the pretext of providing them with greater political involvement. For example, since each of the 10 constituencies designated for minorities covered a vast area, many community members encountered difficulties reaching their representatives. Similarly, since areas in which minorities resided did not fall under the constituencies of the majority, these were largely ignored in development plans.<sup>74</sup>

## Pakistan after Zia (1988–present)

Zia's Islamization programme is widely regarded as responsible for deepening religious divisions which already had historical roots in the country,<sup>75</sup> further disadvantaging groups including religious minorities and women. Following his death in August 1988, however, civilian rule was re-established in Pakistan. Nevertheless, the governments that emerged over the next decade were unwilling or unable to undo the marginalization of religious minorities that had been institutionalized under his regime. The first government to emerge was led by Benazir Bhutto and the PPP, and while they showed support for reversing measures such as separate electorates, upon the departure of her government in 1990 they had overall 'failed to instigate changes in discriminatory laws

pertaining to minorities'.<sup>76</sup> This pattern continued for the remainder of the 1990s under the governments of both Sharif and Bhutto. Since the reforms introduced by Zia remained largely intact, the *ulema*, who had grown in influence by this point, were able to continue to 'translate idiosyncratic interpretations of Sunni Islam into state policy'.<sup>77</sup> The political landscape of this period also provided grounds on which militant Islamist groups in the country could flourish,<sup>78</sup> facilitated by regional tensions, including Pakistan's support of *jihadi* militants operating in Kashmir.<sup>79</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', Musharraf reintroduced joint electorates in 2002 for all except the Ahmadi community and a number of banned groups. Musharraf's other attempts to reverse discriminatory laws were largely unsuccessful, however.<sup>80</sup> Efforts to amend the blasphemy laws, for example, were quelled due to resistance from hardliners.<sup>81</sup> During Musharraf's rule, religious minorities in the country – in particular, Pakistani Christians – were also impacted by the regional context of the so-called 'War on Terror' and the alignment of Pakistan with the American-led 'Western' alliance.<sup>82</sup>

Furthermore, anti-American sentiments coupled with the exile of political leaders such as Sharif and Bhutto meant that in the 'sanitized' elections held by Musharraf in 2002, the Muttahida Majlis-e-Amal (MMA), a coalition of religious groups, made significant gains in Khyber Pakhtunkhwa.<sup>83</sup> Although the popularity of such groups at the federal level has not persisted, they have contributed to Pakistan's drift towards increasing intolerance. This is reflected in the targeting of political moderates and centrists in the country in recent years, including the assassination of Benazir Bhutto in 2007. More recently, in January 2011, the Governor of Punjab, Salmaan Taseer, was murdered by his bodyguard,<sup>84</sup> followed two months later by a militant attack on Pakistan's Minister for Minority Affairs, Shahbaz Bhatti.<sup>85</sup> Both deaths were connected to the support of Taseer and Bhatti for the unsuccessful PPP-led attempt to amend the blasphemy laws in 2010. These targeted killings have not only eliminated prominent voices calling for reform, but also terrorized many others into silence.

The May 2013 election brought into place a Pakistan Muslim League (Nawaz) (PML-N) majority government led by Sharif and saw a particularly low success rate for religio-political parties, including Jamiat Ulema-e-Islam (JUI)-F and JI.<sup>86</sup> Nevertheless, since the election the discrimination and violence suffered by religious minorities or those who sympathize with them has reportedly continued unabated, if not worsened.<sup>87</sup>



The Human Rights Commission of Pakistan (HRCP) notes that 2013 was one of the most difficult years for Christians in the country.<sup>88</sup> More recently, in 2014 the Ahmadi and Hindu communities of Pakistan have both experienced a 'surge of violent attacks',<sup>89</sup> including multiple incidents targeting Hindus temples.<sup>90</sup> Those who attempt to defend or speak out for religious minorities such as lawyers, journalists and activists are also not safe, as evidenced by the recent murder of HRCP regional coordinator and lawyer Rashid Rehman in May 2014.<sup>91</sup>

It should be noted that these incidents, as well as other aspects of everyday discrimination, occur in a broader national context of widespread insecurity, weak governance, corruption and human rights abuses. As one respondent, a former official from the Muslim majority, noted:

*'Religious minorities are not separate from [the] whole society, not only in Pakistan but in whole of this world. It is very much correct that their human,*

*economical and social rights are abused and they are being treated as third class citizens in this part of the globe. But is also fact that more than 95 per cent of people residing over here are never treated as human beings. [The] state does not care for the fundamental human rights of the people.'*

Former official, Muslim, Karachi, July 2014

Nevertheless, these challenges are experienced disproportionately by religious minorities. Despite recent calls by the Prime Minister for equal opportunities for all Pakistanis,<sup>92</sup> religious minorities continue to be subjected to a multitude of legal and institutional challenges, systematic violence and discrimination, and widespread restrictions on religious freedom. Yet as Pakistan's history demonstrates, the growth of intolerance in place of the plurality envisioned by Jinnah was not inevitable, but the outcome of complex processes that have resulted in the severe discrimination of religious minorities.

## The challenges of intersectional discrimination

Discrimination against religious minorities in Pakistan manifests in myriad forms, ranging from restrictions on political participation and limited economic opportunities to outright violence. These different forms of discrimination do not operate in isolation, but rather work together and reinforce one another. Similarly, religious discrimination does not function separately from other systems of oppression that take hold in Pakistan, but alongside them.

For this reason, members of different religious groups, as well as members of the same religious group, may experience discrimination in different ways depending on other factors such as gender, class or ethnicity. On the one hand, groups such as Scheduled Caste Hindu women suffer from multiple and intersectional forms of discrimination that affect their lives in profound ways. In comparison, the discrimination encountered by religious minorities belonging to the elite and urban middle class is somewhat mild, and the inclusion of these minorities in positions of power within politics, the economy, or the military has often been used to deflect criticism from the blatant religious discrimination that pervades the country.

Yet it is important to note that members of this relatively privileged group are few and even they do not have immunity from discriminatory structures, which prevent them from enjoying full citizenship rights.<sup>93</sup>

With regard to the different systems of oppression that operate in Pakistan, gender-based discrimination is particularly severe, as highlighted by the Global Gender Gap Index for 2013. Measuring 'relative gaps' between men and women in areas including education, health, economics, and politics, this ranking placed Pakistan second to last out of the 136 countries assessed.<sup>94</sup> It is therefore unsurprising that minority women – who encounter multiple and intersectional discrimination – find themselves in a particularly dire situation. Pointing to how widespread this situation is, a civil society activist noted:

*'Women [from minority communities] remain a vulnerable group in Pakistan with inadequate safeguard to their rights. They suffer discrimination at work places, educational institutions and in localities.'*

Minority activist, Punjab, July 2014



# Legal and institutional discrimination

As outlined in the history above, since the early days of its existence Pakistan has seen the implementation of various policies, constitutional amendments and pieces of legislation that promote the discrimination of religious minorities in the country. This discrimination, which ascribes an inferior status to religious minorities at an institutional level, severely impacts the daily lives of members of religious minorities and limits their role in the Pakistani polity. This is despite the fact that Pakistan has either signed or ratified various international agreements guaranteeing freedom of religion and protection from persecution. As one government representative in Lahore expressed it:

*‘The fact that Pakistan is party to the UN human rights conventions is a step towards ensuring human rights. However, there is a need for implementing these treaties fully at the national level.’*

Minority advocate, Lahore, September 2012

However, a significant gap remains between formal ratification and implementation. The failure to incorporate these conventions into domestic legislation has resulted in

their frequent violation, as well as a variety of legal gaps with regard to the protection of religious freedom in Pakistan. For example, the Second Amendment to the Constitution of Pakistan, which designates Ahmadis as a ‘non-Muslim minority’, as well as Ordinance XX, undermine a legal framework that would allow all Pakistanis to enjoy freedom of religious belief by violating key aspects of the aforementioned conventions, such as Article 18 of the ICCPR, which emphasizes the ‘freedom to have or to adopt a religion or belief of his choice’ and to ‘manifest his religion or belief in worship, observance, practice, and teaching’ in public or private.<sup>95</sup> Legal and institutional gaps such as these contribute to the marginalization of certain religious minorities, particularly Ahmadis, and are exacerbated by prejudice within the judiciary towards these groups.<sup>96</sup>

## Barriers to political participation

Although the Constitution of Pakistan guarantees the equality of all citizens before the law, the participation of religious minorities in Pakistan’s political arena is, at the

**Table 1:** Pakistan’s ratification of international conventions related to freedom of religion or belief

Convention	Status
International Convention on the Elimination of All Forms of Racial Discrimination, 1965	Ratified
International Covenant on Civil and Political Rights (ICCPR), 1966	Ratified, reservations on Articles 3, 6, 7, 12, 13, 18, 19, 25 and 40
International Covenant on Economic, Social and Cultural Rights, 1966	Ratified
Elimination of All Forms of Discrimination against Women, 1979	Ratified
ILO 111 Discrimination (Employment and Occupation) Convention, 1958	Ratified
ILO 169 Convention Concerning Indigenous and Tribal Peoples in Independent Countries, 1989	Ratified
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Not Ratified
International Convention on the Prevention and Punishment of the Crime of Genocide, 1948	Ratified
Convention on the Rights of the Child, 1989	Ratified
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	Ratified

same time, restricted. As one Christian community leader noted, 'religious minorities are not fully engaged in the political process' and as a result are 'withdrawn and do not feel part of the system'.<sup>97</sup>

In a clear example of religious discrimination, Articles 41(2) and 91(3) of the Constitution strictly bar non-Muslims from holding the two most influential positions of government in the country, namely that of the head of state and the Prime Minister.<sup>98</sup> Religious minorities are not, however, restricted from holding governmental positions altogether. As per the Constitution, non-Muslims are able to contest elections and a total of 10 seats are reserved for religious minorities in the National Assembly. Nevertheless, despite these provisions, the political involvement of religious minorities in the country remains very limited. Political parties rarely offer minorities the opportunity to run in general seats for the national and provincial assemblies, and when they do or when minorities run as independent candidates, they often meet with other forms of resistance. For instance, during the recent election of May 2013, in a district where the PPP awarded party tickets to Hindu candidates, a local *madrassa* distributed leaflets which cautioned Muslims against voting for non-Muslim candidates, labelling Hindus as 'infidels'.<sup>99</sup>

The reserved seats are also not without their problems, as they are not filled by direct election. Instead, each political party nominates religious minorities to these positions on the basis of proportional representation after the general election. Consequently, these representatives have a limited connection to the communities they are supposed to represent, meaning minorities are still left without adequate means to address their concerns.<sup>100</sup> Indeed, it has been the case that due to their lack of accountability to their constituencies, minority representatives in national and provincial assemblies have often shown greater allegiance to their political party and do not generally advocate for real change.<sup>101</sup> One Christian activist articulated the disenchantment felt towards some community representatives and the need to move beyond this constituency to engage officials from the Muslim majority as well:

*'The politicians from among the minority communities are only interested in getting elected. It is very much needed that we work with the non-Muslim politicians and make them aware about the issue of minorities, their social welfare and problems.'*

Christian activist, Islamabad, July 2014

At the same time, minority representatives also face challenges and are often sidelined from decision making. Ultimately, as one minority journalist put it, 'there are

religious minority faces in the parliament now, but mainstreaming of religious minorities into politics we are still far away from'.<sup>102</sup>

*'Political parties do not consider us equal citizens of Pakistan, minority persons are treated as special person and parties have minority wings. That does not help ... minority citizens.'*

Christian activist, Hyderabad, July 2014

*'Religious minorities have been excluded from the mainstream as there are restrictions for a minority member to become Prime Minister and President of Pakistan on the basis of religion.... The minority representatives of the provincial [assembly], national [assembly] and senate are nominated by their respective parties and not answerable to the non-Muslim voters directly, thus true representation for minorities is missing in the parliament.'*

Christian activist, Lahore, July 2014

Beyond the representation of religious minorities in government, voting rights remain a contested issue in Pakistan, as evidenced by the recent election in May 2013. Although the system of separate electorates was overturned in 2002, marking the return of joint electorates in the country, full electoral rights for all religious minorities in Pakistan have not been realized. Notably, while all other religious minorities have been added to a common list of voters, Ahmadis continue to appear on a separate list.<sup>103</sup> To complete voter registration, Ahmadis must provide their address and dissociate themselves from Islam, which is in violation of their religion.<sup>104</sup> Furthermore, during the 2013 election Ahmadis expressed the fear that the separate voter list, which is available to the public, could further endanger their already precarious security situation by making it easier for them to be identified by potential attackers.<sup>105</sup> As a result Ahmadis, who have not voted for more than three decades, were once again forced to boycott the election in 2013.<sup>106</sup>

Although other religious minorities have fared better with regards to electoral rights, the 2013 election highlighted that their full participation still faces obstacles. According to the HRCP, minorities in Pakistan were 'deterred from casting their votes' through a variety of tactics: for example, the harassment of minority female voters in polling stations.<sup>107</sup> Despite the fact that more efforts were made on the part of majority candidates to reach out to minority voters, many were still ignored, even in areas with large non-Muslim populations. For example, in Mirpurkhas District there were few attempts made by candidates to approach the 40 per cent Hindu population for support. Instead, since these Hindus are of a lower

caste and work for feudal landlords, candidates called on these landlords in order to secure minority votes.<sup>108</sup>

The election of 2013 did bring about some promising developments, however. Religious minorities continued to stand for election, despite having little success in previous years, and in some areas – Sindh, for example – did so in greater numbers. Notably, Veero Kolhi, a member of the Hindu ‘Scheduled Caste’ and previously a bonded labourer, stood as an independent candidate for the provincial assembly seat PS-50 in Hyderabad district. Although she was ultimately unsuccessful, this represented the first time a former bonded labourer had stood for election.<sup>109</sup> More broadly, UN Women has noted that female voter turnout was ‘unprecedented’, with votes from women in Pakistan constituting 40 per cent of the total votes cast.<sup>110</sup> Despite these positive developments, however, the issues outlined above continue to impose severe limitations on the political participation of religious minorities, particularly minority women, in Pakistan.

## Marriage laws

Personal laws also remain a key issue of concern for religious minorities in Pakistan. These laws vary for the different religious groups in the country, and in their present form often work to undermine the stability and security of the lives of non-Muslims.<sup>111</sup> Marriage laws are particularly contentious, as there are currently no legal mechanisms in place to recognize the marriages of minority groups, including Hindus, Sikhs and Bahá’ís, in Pakistan. Although Christian marriages are recognized under the Christian Marriage Act, 1872, in practice this colonial-era legislation has not guaranteed that marriages

are properly registered and it remains underdeveloped on issues such as divorce. In addition, because the Personal Laws for Muslims take precedence over the Personal Laws of non-Muslims, a ‘Christian marriage’ will be terminated once one party converts to Islam. In some cases, this has encouraged Christians in Pakistan to convert to Islam in order to secure a divorce, which under the Christian Personal Laws is extremely difficult.<sup>112</sup>

The lack or ineffectiveness of legal mechanisms to register marriages has contributed to a number of difficulties for religious minorities in Pakistan, especially women. As respondents highlighted, some of the key issues that emerge due to a lack of documentation on marital status are difficulties travelling (particularly outside the country), remarrying, divorcing or separating, and adopting.<sup>113</sup> Minority women also face difficulties acquiring national identity cards and gaining access to health care, as well as other services. Similarly, against a backdrop of property rights issues for non-Muslims in Pakistan, minority women who lack official evidence of their marital status face challenges when they inherit property from their deceased husbands.<sup>114</sup> Hindu community members have also reported that these issues have exposed them to harassment by police.<sup>115</sup>

Recently, steps have been made towards addressing the gaps in marriage laws, including the introduction of the Hindu Marriage Bill 2014 and the Punjab Registration of Hindu Marriage Bill 2014.<sup>116</sup> While these are undoubtedly positive developments, in the past attempts to change Personal Laws have been met with frequent delays, in part due to divisions within the Hindu community itself over what these laws should stipulate.<sup>117</sup> As such, it is uncertain what will come of these recent efforts.

### The forced conversion and marriage of minority women

The prevalence of forced conversion and marriage<sup>118</sup> of minority women in Pakistan is in part a consequence of gaps surrounding marriage and Personal Laws in the country. Although it is not possible to determine accurately how common this practice is, recent estimates suggest that at least 300 Hindu women, and between 100 and 700 Christian women (including minors), are victims of forced conversion and marriage each year.<sup>119</sup> These coercive conversions and marriages predominantly take place in Sindh, where, according to the Asian Human Rights Commission (AHRC), between 20 and 25 Hindu girls are abducted and forcibly converted to Islam each month.<sup>120</sup> In some cases, women are already married at the time this occurs, but because their marriage either lacks official recognition or can be superseded by conversion to Islam, their marital status

does not offer them protection. In this sense, the gaps surrounding the Personal Laws of religious minorities directly feed into forced conversion in Pakistan. Although the families of women who have allegedly been victims of forced conversion have attempted to bring these issues to court, they often confront authorities who are unwilling or unable to help. Similarly, they encounter obstacles in attempting to ‘prove’ that a given conversion was ‘forced’, as women are often pressured to declare that their conversion was of their own free will.

In the interviews conducted for this research, respondents pointed out that forced marriages and conversions are clear examples of the intersectional discrimination that minority women face in Pakistan. Specifically, these practices bring to the fore the discrimination that women confront on account of their

gender and religion, as well as class. The minority women who are subject to these coercive practices are predominantly poor, as is highlighted by the disproportionate number of Scheduled Caste Hindu women among the victims. As the Dalit Solidarity Network has pointed out, despite the fact that caste-based discrimination is forbidden in the Constitution, Scheduled Caste women are particularly vulnerable to abduction and forced conversion.<sup>121</sup> They are also commonly considered to be ‘sexually ‘available’,<sup>122</sup> as highlighted by a case in Sindh in December 2013 where Muslim landlords raped two Scheduled Caste Hindu women – Kakoo and Nallan Kohli – in front of their family members, later murdering Kakoo after she filed a police report.<sup>123</sup> Dalit families in Pakistan take various precautions in order to avoid the fate of those such as 14-year-old Manisha Kumari and 19-year-old Rinkle Kumari, who were allegedly abducted, coerced to convert to Islam, and married to Muslim men in 2012.<sup>124</sup> For example, some Dalit families reportedly avoid sending their daughters to school in an effort to keep them safe, while others have reportedly migrated – primarily to India – in search of a more secure life.<sup>125</sup>

Forced conversion and marriage continue unabated in Pakistan, with one of the latest cases taking place in January 2014 when a 14-year-old Christian girl was abducted.<sup>126</sup> Despite the persistence of these issues, a

report recently released by the Movement for Solidarity and Peace (MSP) has noted that stakeholders such as the police, who would be expected to address these problems, instead foster a climate of impunity by not completing the necessary investigations or by actively subverting the justice system in order to protect members of a given community.<sup>126</sup> Similarly, issues such as judicial bias and legal gaps in addressing forced conversion and marriage persist.<sup>127</sup>

The difficulties involved in addressing these practices are illustrated by the case of an 18-year-old Hindu girl living in a village near Gujrat city who was kidnapped by members of a powerful local family and raped. She was then forced to convert to Islam and marry one of her abductors. The girl’s family attempted to lodge a complaint with the police, but without success. In response, the girl’s family contacted their local representative in the National Assembly. However, after she pressured the police to register a First Information Report, the family of the girl refused to appear at the station to file their complaint. It soon transpired that the abductor and his relatives had threatened the girl and her family with reprisals. The girl subsequently appeared at the police station and spoke in favour of her abductors. Since then, with this statement on record, no actions have been taken to secure justice.<sup>128</sup>

## Blasphemy and anti-Ahmadi legislation

As outlined in the history above, since Zia amended Pakistan’s Penal Code, there has been a dramatic increase in the number of people either accused or convicted of violating the country’s colonial-era blasphemy laws. Although there are no exact official figures, the Centre for Research and Security Studies (CRSS) has reported that

while there were only a handful of blasphemy cases documented between 1851 and 1947, the number of cases has subsequently increased significantly, with 247 blasphemy cases registered between 1987 and August 2012.<sup>129</sup> More recently, two unprecedented allegations in 2014 – one against a popular TV station, Geo News, for airing a Sufi song that was perceived to be blasphemous, and the other against a group of 68 lawyers who were protesting against a police chief who has the same name as

**Table 2:** Pakistan’s blasphemy and anti-Ahmadi laws<sup>131</sup>

Section	Offence	Maximum punishment
295-B	“Defiling, etc., of copy of the Holy Qur’an”	Only one penalty - life term
295-C	Whoever “defiles the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to fine”	Mandatory death penalty
298-A	“Use of derogatory remarks, etc., in respect of holy personages”	3-year prison term or fine, or both
298-B	“Misuse of epithets, descriptions and titles, etc., reserved for certain holy personages or places”	3-year prison term and fine
298-C	An Ahmadi “calling himself a Muslim or ... propagating his faith”	3-year prison term and fine

a revered Islamic figure<sup>130</sup> – suggest that these numbers are only increasing.

Although blasphemy accusations have been levelled against a range of individuals – including children and the elderly, men and women, as well as Muslims and non-Muslims – Pakistan’s blasphemy laws have a particularly egregious effect on religious minorities due to their content as well as the religious intolerance they help to foment. Figures recently released by the CRSS highlight that, given their population size, a disproportionate number of religious minorities have been accused of blasphemy in Pakistan over the last 50 years. According to the CRSS data, of an estimated 434 blasphemy offenders documented between 1953 and 2012, 258 were Muslims, 114 Christians, 57 Ahmadis, and four Hindus. This means that while estimates suggest that Christian and Ahmadis only make up a small percentage of the Pakistani population, they represent 26 per cent and 13 per cent respectively of those charged under the blasphemy laws.<sup>132</sup> In this sense, while the blasphemy laws are allegedly supposed to provide full protection to people of all religions in Pakistan, evidence shows that this has not necessarily been the case.

Blasphemy accusations are frequently directed at religious minorities. For example, at the end of March 2014 a Christian man, Sawan Masih, was sentenced to death after being found guilty of religious defamation a year earlier.<sup>133</sup> Shortly before this, on the eve of the Hindu festival Holi in March 2014, a Hindu living in Larkana was accused of allegedly desecrating religious materials, leading to an attack on a Hindu temple and community centre in the area.<sup>134</sup> Ahmadis are commonly accused of blasphemy simply for professing their faith publicly, as doing so is in contravention to sections 298-B and 298-C of the PPC. Indeed, the HRCP has recorded that in 2012 a total of five such cases were registered against Ahmadis, while nine cases were brought against a total of 30 Ahmadis in 2013.<sup>135</sup> More recently, in January 2014 a 72-year-old Ahmadi doctor was charged with blasphemy after two men who, unbeknownst to him, belonged to an outlawed militant group came to his clinic, asked him about his religion, and documented his response with a hidden tape recorder.<sup>136</sup>

Though blasphemy laws are not uncommon elsewhere in the world, those that exist in Pakistan have been widely criticized on account of their substance and implementation, as well as the extreme violence that has accompanied their invocation. In particular, these laws have been condemned because they lack clarity with regard to what constitutes a violation, coupled with severe punishments, a light burden of proof and the absence of measures to hold accountable those who make false allegations.<sup>137</sup> Without clear definitions of what constitutes

a ‘blasphemous act’, accusers have been able to ‘apply their personal religious interpretations’ when lodging a case.<sup>138</sup> As noted by one of our respondents, a senior legal representative, ‘these laws are politicized and used for self-interest, hence promoting misuse and misinterpretation.’<sup>139</sup>

Reflecting this, it has been the case that blasphemy laws have been used in order to settle personal scores, such as land disputes.<sup>140</sup> The misuse of these laws has also been facilitated by the very low threshold of evidence needed to accuse someone of blasphemy, the difficulties involved with proving or disproving these allegations, as well as evidence laws in the country which continue to discriminate against religious minorities and women. As a result of these challenges, many of those who have been accused of blasphemy remain in prison awaiting a trial or appeal. This includes a Christian, Asia Bibi, who in 2010 was the first woman in Pakistan sentenced to death under 295-C after she was accused of religious defamation by Muslim women with whom she worked harvesting berries in rural Punjab. Despite sustained pressure from activists, international organizations and other groups to suspend the sentence, in October 2014 Lahore’s high court upheld the decision.<sup>141</sup>

Though many accused of blasphemy are acquitted at trial, this does not ensure their safety: this is highlighted by the case of Rimsha Masih, a 14-year-old Christian girl with learning disabilities who was falsely accused of burning religious text in 2012. Although the case against her was dropped upon obtaining proof that a cleric had fabricated evidence, Rimsha’s family continued to face threats and as a result sought asylum in Canada in 2013.<sup>142</sup>

Furthermore, police officials have allegedly been pressured on occasions by religious groups to register blasphemy charges.<sup>143</sup> For those who are accused of blasphemy, it has also often been extremely difficult to find a lawyer willing to defend them because of the risks involved. The murder of lawyer Rashid Rehman in May 2014, as a result of his defence of a university professor accused of blasphemy, is likely to make it even more difficult to obtain a fair trial when blasphemy laws are involved.

Despite the grave miscarriages of justice that have been and remain associated with Pakistan’s blasphemy laws, voices calling for change have been virtually silenced. As journalist Raza Rumi highlighted in a recent article, since the 2011 murder of Salmaan Taseer because of his defence of Asia Bibi, ‘debates on the colonial blasphemy law have disappeared from the public domain.’<sup>144</sup> The death of Shahbaz Bhatti in the same year, and recent accusations against the former Ambassador to the US, Sherry Rehman, because of her comments in 2010 on amending the blasphemy laws, further suggest that in Pakistan debating the blasphemy laws is itself considered an act of blasphemy. Adding to this environment of intolerance, religious parties



such as the JUI-F have consistently vowed to ‘fight to keep the law as it is’.<sup>145</sup> As one of our respondents noted, these factors along with the frequency with which blasphemy cases are currently being lodged have worked to ‘severely limit socio-political discourse’ in Pakistan.<sup>146</sup> In the meantime, blasphemy accusations continue to pile up, while at least 17 individuals are on death row for blasphemy convictions and 19 are currently serving life sentences in prison.<sup>147</sup>

Although, up until now, no executions have been performed under the blasphemy laws, the CRSS has reported that between 1990 and July 2012, 52 people implicated in blasphemy charges were extra-judicially killed.<sup>148</sup> Similarly, blasphemy laws have also helped to facilitate a culture of vigilantism, in which mobs target the accused or the religious community with whom they are connected before the accused is convicted. For example, in the case regarding Sawan Masih, the original blasphemy accusation levelled in March 2013 was accompanied by a violent attack on a Christian district of Lahore, Joseph Colony. In this instance, a mob comprised of several thousand people set fire to two churches and over 150 homes.<sup>149</sup> More recently, in May 2014, a 65-year-old Ahmadi man who was accused of blasphemy was shot dead by a teenager in the police station where he was being held.<sup>150</sup> In July, after rumours spread about the dissemination of allegedly blasphemous material online, an Ahmadi woman and her two young granddaughters were killed by a mob in Gujranwala.<sup>151</sup>

## Failure to implement legal protections

While Pakistan’s discriminatory laws and constitutional mandates result in worrying legal gaps for religious minorities in the country, it is important to note that, in theory, there are also certain guarantees that protect freedom of religious belief within the current legal framework. For example, Article 20 of the Constitution extends the ‘right to profess, practise and propagate his

religion’ to all citizens, while section 153-A of the PPC terms all forms of hate speech a criminal offence.

However, the apparent contradiction between these provisions and the more discriminatory elements of the Constitution outlined above draws attention to the ongoing conflict over what the relationship between Islam and politics should be. Then there is the practical matter of implementation. Despite the protection offered to minorities in Pakistan’s legal framework, respondents noted that these laws are often either misinterpreted or simply overlooked, and therefore have not helped to address the deplorable conditions religious minorities face. Rather, the current situation can be seen as a continuation of a ‘policy of segregation between Muslims and non-Muslims’ and the promotion of an exclusionary form of nationalism defined in terms of religion.<sup>152</sup>

The situation is made worse by the actions of some law enforcement agents, such as the police, who have reportedly engaged in activities that undermine the security of religious minorities. For example, in the event that the victim of a crime is a member of a religious minority, it has been documented that the police often refuse to file a First Information Report or adequately investigate the case. One such instance took place in December 2011 when a young Hindu lawyer, Mohan Lal Menghwar, was abducted – reportedly by Muslim religious groups – while travelling to the Sindh High Court in Hyderabad. According to the AHRC, the police took the incident ‘lightly’ and no authorities in Hyderabad would register the case, citing a lack of clarity over whether the crime took place in their district.<sup>153</sup> Upon the lawyer’s release in March 2012, after his sister paid ransom to the abductors, the authorities reportedly did not take any action against those who abducted him.<sup>154</sup> More recently, in January 2014 an 8-year-old Scheduled Caste Hindu girl, Sumera Devi, was raped and murdered in Khanpur, Punjab, and according to the Hindu American Foundation (HAF), the police were reportedly ‘uncooperative ... and [did] little to assist the victim’s family’.<sup>155</sup>



# Societal discrimination and violence

In order to better understand why the inclusive elements of the Constitution are misinterpreted or ignored, social factors need to be looked at more closely. Moving beyond a state-centric analysis to look at socio-economic and culture factors will point out how prejudice and discrimination against certain religious communities, including some Muslims, has become ingrained within Pakistani society. Pakistan's Shi'a, for example, while exempt from many of the formal legal discrimination affecting Ahmadis, Christians or Hindus, are nevertheless subjected to comparable levels of prejudice and violence.

Beyond discriminatory laws and constitutional injunctions, religious minorities in Pakistan encounter discrimination in a variety of public spaces on a daily basis, including school, work, local neighbourhoods and the media. Graffiti and banners on city walls, voices from the loudspeakers of mosques, popular television programmes, and even children's textbooks carry messages that incite hatred towards minorities. Stereotypes of religious minorities also deeply impact their interactions with the Muslim majority: for example, because of negative associations Christians are often restricted from drinking water from the same source as Muslims.<sup>156</sup> Another respondent described how Pakistani Hindus experienced similar exclusion in a range of social contexts:

*'In many schools, Hindu children never drink water from a common glass. In shops and factories Hindu servants and employees ... never drink water from a Muslim's glass. Tea shops in many towns are using cups for non-Muslims.'*

Social activist, Hindu, Karachi, July 2014

The socio-economic challenges that come with this discrimination also affect the daily lives of religious minorities in Pakistan who are often relegated to living in decrepit conditions in slums such as 'French Colony' in Islamabad. In this sense, the exclusionary nationalism that has been promoted in Pakistan over the years is deeply connected to the lives of Hindus, Christians, Ahmadis and other religious groups, who are 'othered' through a variety of everyday practices.

Increasingly, this discrimination has been accompanied by widespread violence that impacts in profound ways on the lives of marginalized religious groups. The situation is

particularly deplorable for those who confront discrimination on multiple levels such as the Hazara Shi'a community, whose freedom of mobility and security have been heavily restricted due to the threat of sectarian violence. As a Hazara activist expressed in a recent interview with MRG in December 2013:

*'When we go to Quetta, it is so sad to see our houses, the streets, the mosques. When we get closer and closer, we should be happy but I feel suffocated, I have to hide my fear but not one single moment is certain.'*<sup>157</sup>

Mounting sectarian violence against Shi'a, as well as discrimination against religious groups who until recently had managed to escape systematic targeting, such as Ismaili Muslims, points to the growth of an even more exclusionary form of nationalism based on a very specific understanding of 'Muslimness'. As a result, these groups are socially excluded and the space ceded for them to practise their religions or achieve scholastic and economic success remains extremely limited.

## Education

Substantial international attention has recently been focused on the dire state of education in Pakistan. In particular, there has been an emphasis on the role extremist militants play in restricting access to education, as well as on the enormous number of children who do not have access to school. According to UNESCO, Pakistan has the second highest number of children out of school in the world – about 5.5 million based on national estimates – and approximately half of these children are not expected ever to enrol in primary school.<sup>158</sup> This problematic situation appears to be even more complicated when looking at the specific issues that religious minorities confront with regard to education in the country.

In terms of barriers to education, the situation varies for different religious minorities depending on factors such as class, gender, geographic location, as well as the religious group that they belong to. Given that economic position and gender are two of the key factors determining the access an individual has to education in the country, poor women from minority communities tend to face some of

the greatest challenges. For example, recent surveys have pointed out that, in the same community, illiteracy rates for Scheduled Caste Hindu women and men were 87 per cent and 63.5 per cent respectively, while at the same time the literacy rate for in the country overall was approximately 35 per cent for men and 58 per cent for women.<sup>159</sup>

Growing violence in the country has also reportedly affected the ability of some Muslims to access education, especially those such as Hazara Shi'a in Baluchistan.<sup>160</sup> For example, an attack in Quetta by a female suicide bomber on a bus carrying students of Sardar Bahadur Khan Women's University in June 2013, followed by another suicide bomb in the hospital where the injured were being treated, left 14 students dead and also killed four nurses. One respondent highlighted now this incident and a similar attack on students the previous year had had a chilling effect on the ability of girls and women to access education:

*'Due to a couple of suicide attacks ... more than 500 girl students belonging to Shi'a left the schools, colleges and university and the rest of the students are also in tense and uncertain circumstances.'*

Civil society activist, July 2014

Even those religious communities that do have the opportunity to receive an education face challenges. This is in large part a result of historical processes which have significantly impacted how education is approached in Pakistan, including the nationalization of schools under Zulfikar Ali Bhutto, followed by efforts to 'Islamize' the curricula under Zia. Given that Article 22 of the Constitution stipulates that those attending educational institutions will not be obligated 'to receive religious instruction, or take part in any religious ceremony ... if [it] relates to a religion other than his own', non-Muslim students are not officially required to study Islam. However, because non-Muslim students are not commonly given an alternative and receive extra credits for taking Islamiyat or Islamic Studies, they are often induced or forced outright to take these classes by their teachers.<sup>161</sup>

Beyond challenging the Constitution, this pressure also leads to the vulnerability of religious minority students. Indeed, there have been cases where non-Muslim students have been severely punished for seemingly minor errors in the current education system. For example, in September 2011, after a Christian student misspelt a word in a response to a question about a religiously inspired poem written in an Urdu exam, she was expelled from school and her mother was forced to transfer jobs.<sup>162</sup>

Although education was devolved to the provincial level in 2010, similar issues persist. Recent studies have pointed out that textbooks – particularly those used in classes such as social studies, civics, Urdu and English – contain a:

*'distorted presentation of national history, insensitivity to the existing religious diversity in Pakistan, views encouraging prejudice, bigotry and discrimination towards fellow citizens, women, religious minorities and other nations, and a glorification of war as well as an incitement to militancy and violence.'*<sup>163</sup>

As a result, these textbooks and the curricula more broadly have been both 'nationalized' and 'Islamized' in a way that portrays Pakistan as 'a Muslim country for Muslims alone', thereby erasing the role of religious minorities have had in Pakistani society and promoting discriminatory attitudes towards them<sup>164</sup> – described by one Christian activist in Hyderabad as a 'seed of hate'.<sup>165</sup>

*'After Partition, Pakistan became an independent country, but anti-Hindu thinking is still here even after 60 years.... Hindu children read in textbooks that their ancestors were opposed to Pakistan. When in schooling you learn anti-Hindu lessons, how can you promote tolerance in the society?'*

Social activist, Hindu, Karachi, July 2014

*'The books of history present the role of religious minorities negatively. Children are taught that [the] Hindu majority treated Muslims very badly before the separation of India in 1947. The British rulers [Christians] discriminated against Muslims and in return now they are on the receiving end and deserve the same treatment.'*

Social activist, Christian, Hyderabad, July 2014

Although the government officially recognized this as a problem beginning in 2006 and efforts to adopt new education policies have been made in recent years, a report by the National Commission for Justice and Peace (NCJP) in 2013 focused on Punjab and Sindh points to the fact that discriminatory content in school syllabuses has not only remained in place, but in some cases even increased.<sup>166</sup> Similarly, there continue to be calls to further ostracize religious minorities in school curricula. For example, in September 2013 an influential cleric expressed that additional information about Ahmadis should be included in curricula in an effort to further institutionalize their discrimination.<sup>167</sup>

As some of our respondents pointed out, although the content of textbooks has rightfully been a key area of focus

in recent years, it is also important to look at the role of teachers in educational institutions. Teachers in public schools have been slightly more ambivalent with regard to religious minorities and tolerance in the classroom. While some teachers do promote more inclusive ideas and respect for religious minorities, a significant proportion of educators themselves harbour acrimonious views regarding religious minorities.<sup>168</sup> As one respondent testified, ‘during class they do not respect other faiths and religions, which is very dangerous for the future generations’.<sup>169</sup> Teachers from religious minority groups are also not immune to this discrimination encountered by students. For example, a Hindu activist who was formerly a teacher in a government school noted that his colleagues would separate his cup from their own, not allowing him to drink from common glasses.<sup>170</sup>

Although a detailed discussion of *madrassas* (religious schools) is outside the ambit of this report, it is important to note that very similar issues persist with regard to the curricula and teaching in these institutions, although the context is different because religious minorities do not attend them. Despite the purported acceleration of efforts to regulate *madrassas* over the last decade or so, these measures have not been successfully realized. Recently, the newly elected government has launched a ‘National Plan of Action to Accelerate Education-Related MDGs [Millennium Development Goals]’ for 2013–16, but the impact of this plan on promoting a more inclusive and tolerant education system remains to be seen. There is also an important role for educators and the wider community to foster greater cooperation between students of different faiths. Respondents also highlighted the need to develop extracurricular activities, such as sports events, theatre performances, contents and quizzes for students, as well as training programmes on issues such as minority rights and pluralism for teachers, to improve inter-faith harmony in schools and universities.<sup>171</sup>

## Employment

Religious minorities in Pakistan are largely confined to low-wage, menial employment with little opportunity to improve their socio-economic position. There are, of course, members of religious minorities who do hold influential positions, but a glass ceiling remains and the socio-economic ladder is much more difficult to climb. This is in large part a consequence of the limited educational opportunities available to minorities, particularly women, and other forms of institutionalized discrimination. For instance, although 5 per cent of jobs are legally required to be filled by religious minorities, as per a law passed in 2009, these measures are not always followed. For example, in a recent case, Sargodha

University ignored this quota, leading a Christian political representative to appeal against the school.<sup>172</sup> Bonded labour remains common in the country, as highlighted by the Global Slavery Index 2013, which ranked Pakistan as the third worst place in the world for forced labour and debt bondage. Scheduled Caste Hindus are especially vulnerable to these practices.<sup>173</sup> Similarly, significant numbers of Christians residing in Sindh and Punjab work as bonded labourers in areas such as carpet-weaving and the brick kiln industry.<sup>174</sup> This situation is often closely connected with inequalities between religious minorities and the Muslim majority. In rural Sindh, according to one minority rights activist, ‘many incidents of bonded labour are found where non-Muslim families who take a loan from a well-off Muslim business man are bound to work for them’.<sup>175</sup>

Bonded labour is widely condemned as a form of modern-day slavery, as those who are consigned to this form of work are effectively kept in captivity, with little freedom of movement, and often encounter physical abuse. As a consequence of the interest rates that landowners apply to these loans, coupled with extremely low wages for their work, bonded labourers experience extreme difficulty escaping their debt, which is often passed on between generations.<sup>176</sup> Although the majority of bonded labour is found in rural Sindh, similar conditions plague those who work in the brickmaking sector in Punjab. Despite legislation against bonded labour in Pakistan developed in the early 1990s, which has helped bring about the release of some individuals from these conditions, it remains a significant problem in the country. According to recent estimates by the Asian Development Bank, across the country approximately 1.8 million people are in bonded labour, although some estimates are higher.<sup>177</sup>

Beyond this, Hindus and Christians in cities often take on menial work, such as low-level sanitary jobs that Muslims are generally unwilling to do. A large number of Christians, for example, are occupied as street sweepers, and this work feeds into negative stereotypes. As one Muslim activist put it: ‘I noticed that people treat [Christians] like they have leprosy’.<sup>178</sup> This social stigmatization reinforces their economic marginalization, undermining their ability to access even basic livelihoods as a result. For example, respondents noted that Christians would have difficulty running a restaurant or working as a street vendor as Muslims would refuse to accept food from them.<sup>179</sup>

*‘Religious minority members cannot open a restaurant because nobody would like to eat in a Christian restaurant because of religious discrimination. A Christian street vendor cannot sell edibles to Muslim*

*customers because they would not buy edibles from him. The Christian house workers are lowly paid compared to their Muslim counterparts; many times they are thrown out of their job on false accusations of theft without paying their salaries.'*

Social activist, Punjab, July 2014

The workplace also serves as yet another site in which gender discrimination is widespread, particularly towards minority women. According to the AHRC, a large proportion of Hindu and Christian women in cities are employed as scavengers or sanitary workers, on very low wages and without basic labour protections. In some rural areas, the situation is compounded by feudal power structures. In Sindh, for instance, many Hindu women work in slave-like conditions as bonded labourers to local 'owners'.<sup>180</sup> One respondent described how sexual harassment in the workplace was a 'routine' issue for women from religious minorities.<sup>181</sup> The combination of economic marginalization, gender discrimination and religious exclusion means that young minority women are particularly vulnerable to extreme abuse from their employers.

*'In recent years some incidents of torture against minority girls working as domestic workers at the homes of rich Muslims came into the media. The girls were tortured to death and nothing happened against the culprits because of their influence and the fear among the families of the victims.'*

Christian activist, Lahore, July 2014

## Religious practice, burial rites and land

Certain religious communities in Pakistan also face enormous challenges in practising their faith because of a range of factors, including lack of access to places of worship as well as the threat of violence. Although state bodies such as the Evacuee Trust Properties Board (ETPB) have been set up with a mandate to manage and look after the properties of those such as Hindus and Sikhs, it appears that protection of places of worship has often fallen by the wayside. A March 2014 survey conducted by the All Pakistan Hindu Rights Movement (APHRM) reported that of the 428 places of worship for Hindus in the country, only 20 are operational. The remaining 95 per cent have reportedly been leased for residential and commercial purposes by the ETPB.<sup>182</sup> The situation is particularly dire for the approximately 5,000 Hindus living in Rawalpindi, who reportedly only have one functioning place of worship left to frequent.<sup>183</sup> Similar problems confront the Sikh community, as their

*gurdwaras* under the control of the ETPB are often illegally sold or left in decrepit conditions.<sup>184</sup> For the Ahmadi population of Pakistan the situation is especially dire, as practising their religion at all, or referring to their places of worship as 'mosques,' has been criminalized. Similarly, because Ahmadis are required to declare themselves non-Muslims in order to obtain a passport, they are not able to perform Hajj. Attempts to build places of worship have also run into obstructions, with district-level authorities frequently refusing to grant permission for their construction.<sup>185</sup>

More troubling still, violent attacks on places of worship and on pilgrims travelling to and from holy sites have imposed further restrictions on the religious practice of minorities in Pakistan. Hindu places of worship have long been a target of violence, as was made clear by attacks on at least 30 temples in response to the Babri Mosque incident in neighbouring India in 1992.<sup>186</sup> Similar incidents have occurred more recently, with nine temples targeted during 2013.<sup>187</sup> Ahmadis have also seen their places of worship attacked. For example, in May 2010 extremist Islamist groups attacked two Ahmadi places of worship during Friday prayer in Lahore, killing 94 people and injuring over 100.<sup>188</sup> As a consequence of these threats of violence, Ahmadi women no longer feel safe to attend Friday prayer.<sup>189</sup> These incidents have occurred against a broader backdrop of institutional discrimination. In September 2013, for instance, amid pressure from local clerics, police demolished minarets at Ahmadi places of worship in Sialkot and Bahawalpur.<sup>190</sup> Particularly lethal attacks have also been perpetrated recently against the Christian community, including the September 2013 suicide attack on All Saints Church in Peshawar that killed more than 100 Christians.<sup>191</sup>

Even more frequent have been recent sectarian attacks on Shi'a pilgrims. For example, a militant attack orchestrated on New Year's Day in 2014 on a bus carrying pilgrims to Quetta killed one person and injured at least 34.<sup>192</sup> Shortly afterwards, towards the end of January, 22 Shi'a pilgrims were killed when their bus was attacked in Baluchistan.<sup>193</sup>

Increasingly, religious groups have also confronted challenges when it comes to burying their dead. In 2013, for example, there were three occasions when Ahmadis were prevented from burying their family members in common graveyards. This included the case of a one-year-old Ahmadi girl who was refused burial in a local graveyard amid protests and the threat of violence from clerics and other residents.<sup>194</sup> In other cases, the bodies of deceased religious minorities have been disinterred for similar reasons. For example, in October 2013 the body of a Hindu man, who had recently died in a traffic accident, was dug up in Sindh by a group of clerics and other local

Muslims. Reportedly, this action was preceded by calls from a local mosque demanding that Hindus remove the body as it was located in a Muslim graveyard.<sup>195</sup>

The restrictions on religious practice and burial can together be seen as part of a broader picture in which customs and traditions that deviate from those of the Muslim majority in Pakistan are being systematically

repressed. Although the Religious Affairs Minister, Sardar Yousaf, has acknowledged that the state of Hindu places of worship is a 'serious matter',<sup>196</sup> little has been done by the ETPB thus far, and other issues surrounding religious practice remain in large part unaddressed. There have been efforts on the part of civil society to address some of these issues, however, as will be further outlined below.



# The representation of religious communities in the media

Print journalism and various other forms of popular media are key to the way ideas about religious groups have been expressed and negotiated in Pakistan. While there are prominent voices in the country that promote inclusion – often risking their lives in the process – there are also those who disseminate hate speech and foster a climate of religious intolerance. In recent years the media landscape has also been influenced by the growing popularity of online platforms such as Facebook, which have been useful tools for civil society actors promoting inclusion, but some outlets have also been responsible for communicating negative representations in Pakistan.

The Pakistani media are not monolithic and there are various news sources that play a responsible role when it comes to how they present minorities and minority issues.<sup>197</sup> Yet, as groups such as Amnesty International have recently reported, Pakistan is one of the most dangerous places in the world for journalists due to widespread attacks and intimidation from militant groups and state actors.<sup>198</sup> This is a particular concern for media workers focusing on minority issues. As one respondent, a journalist from Karachi, put it, ‘whenever you speak about minorities and their freedom, you will face severe results’.<sup>199</sup>

Moving beyond those journalists who do report on minority rights, respondents pointed out that many news sources were relatively silent about respect for minorities and the challenges they face. As one respondent put it, ‘there is 0.5 per cent representation of minorities in [some] local media’.<sup>200</sup> There have also been instances in which certain outlets have framed these communities in a negative light. In the words of one respondent:

*‘[Some] media have been presenting religious minorities of Pakistan as low class and strangers in the country ... [and] created lots of problems for the victims.’*

Social activist, Lahore, July 2014

In the media for years, Ahmadis have been referred to as ‘Qadianis’ – a name that they consider to be derogatory. Indeed, attempts to negatively frame Ahmadis as a national ‘problem’ are evident in media sources dating back to 1974, in the days leading up to their official designation as a ‘non-Muslim minority’.<sup>201</sup> Denigration of religious community

members remain commonplace in certain extremist media outlets.<sup>202</sup> In one incident in 2008, ‘hate-laced’ comments by guests on a religious talk show on a local popular television station were widely seen as responsible for inciting those who assassinated two Ahmadi leaders.<sup>203</sup>

Since the online response to the murder of Salmaan Taseer in 2011, there has also been heightened recognition of the growing role that some social media platforms play in the proliferation of hate speech in Pakistan. As recently outlined in a report by Bytes for All, based on a survey of 559 Pakistani internet users, 92 per cent expressed that they had encountered hate speech online. Of this group, 61 per cent claimed to have witnessed it against Ahmadis, 43 per cent against Hindus and 39 per cent against Christians.<sup>204</sup> The proliferation of hate speech on Facebook has been particularly alarming.<sup>205</sup> Attacks on Ahmadis, Christians and Hindus on online platforms ultimately seem to play a key role in reinforcing stereotypes and spreading myths about religious minorities in Pakistan. For example, Bytes for All has reported that, in certain instances, labels such as ‘Indian agent’ have been used in reference to Pakistani Hindus.<sup>206</sup> This sort of inflammatory rhetoric has at times also contributed to sectarian violence between Shi’a and Sunni Muslims, as demonstrated by attempts to inflame tensions during riotous clashes in Rawalpindi in November 2013.<sup>207</sup>

The growth of targeted attacks against religious communities online has been facilitated by the absence of cyber laws in the country, as well as the failure to apply existing legislation on hate speech to protect minority members. While the government has recently made efforts to control online content, these efforts have particularly concentrated on curbing ‘blasphemous’ material on platforms such as Twitter.<sup>208</sup> Yet it should be noted that social media has also acted as a useful platform for journalist and activists to promote better understanding of minority issues. In the words of one respondent, ‘social media has played a very positive and helpful role in highlighting the issues faced by religious minorities’.<sup>209</sup>

Therefore, the current media landscape in Pakistan is one in which censorship and threats against journalism are growing. The outbreak of violent attacks in Pakistan makes it vital that this be addressed in order to adequately confront societal discrimination and violence against religious minorities in the country. A number of



respondents highlighted the positive role that some outlets had played and the potential, through journalistic training and other initiatives, to strengthen their focus on minority rights – for example, by covering the situation in many minority residential areas and their lack of access to basic

services or infrastructure. One activist from Punjab, while noting that the media sometimes played ‘the role of divider’, also expressed their belief in the ability of a reformed media to ‘bring change or start proceeding towards tolerance and acceptance’.<sup>210</sup>

# The role of civil society

Despite the continuities between the historical processes outlined above and more recent events in Pakistan, the social and political situation in the country has been far from stagnant and discrimination against religious minorities has not gone unaddressed. Even amid the mounting violence in the country, efforts have been made by certain elements of Pakistani civil society, such as human rights and minority activists, as well as NGOs and independent think tanks, to promote tolerance and spread awareness of the discrimination confronted by religious minorities. These efforts have been promoted by Muslims and non-Muslims alike, and, broadly speaking, aim to promote a more plural conception of society and a notion of Pakistani citizenship premised on equality. For example, as one human rights lawyer noted:

*‘Despite being part of the majority community in Pakistan, I consider myself very vulnerable [to discrimination]. Therefore it is my moral responsibility to speak for the weak and marginalized especially the minority communities in Pakistan... Their persecution is in fact my persecution and I must speak against this as I firmly believe that injustice in any form and to anyone is a peril to global justice. We are all constitutionally bound to protect the rights of the minority groups living with us, who have every equal right as citizens of Pakistan.’*  
Legal advocate, Muslim, Khyber Pakhtunkhwa,  
October 2012

Such efforts are still in their relatively early stages, having emerged in large part during the late 1980s and early 1990s. Since this time, they have played an important role in Pakistani society by keeping issues such as the repeal of separate electorates high on the public agenda. Groups such as the HRCP have been particularly effective in this regard, by carefully monitoring human rights violations in Pakistan and holding workshops in order to train activists to do the same. Other activities by civil society organizations include seminars, grassroots training sessions and inter-faith dialogue.

In recent years, efforts on the part of civil society to draw attention to the plight of religious minorities have also gained traction through the growth of social media in the country. In this sense, while social media have been

used in order to spread hate speech in Pakistan, at the same time they have helped to spread awareness and promote tolerance. Twitter, for example, has been a useful platform for activists and organizations to disseminate information about events that otherwise might not be reported in the mainstream media. Furthermore, online platforms such as Facebook have also been employed by organizations in order to plan events and connect activists in the country.

Beyond social media, peaceful protests have been staged in different parts of the country in order to spread awareness of violence against religious communities in Pakistan. For example, two weeks after the attack on All Saints Church in September 2013, a group of between 200 and 300 people, comprised of both Muslims and Christians, formed a human chain around a church in Lahore. This, along with a similar protest in Karachi, was organized by a group called Pakistan For All to demonstrate solidarity with minority members.<sup>211</sup>

A sectarian bomb attack in Quetta on February 2014 that targeted Hazara Shi’a and killed at least 84 people also provoked a peaceful protest. Following the attack, about 4,000 women staged a sit-in, refusing to bury their dead and demanding that the government and security forces prevent further killings’. Similar protests were also held in solidarity in other parts of the country, such as Karachi.<sup>212</sup>

Yet as some respondents noted, these efforts face difficult challenges, not least of which is the threat of violence:

*‘Many leaders [of religious communities] have been killed, and everyone knows the killer but they are not punished even. Each vocal person [who] speaks against terrorism, fundamentalism, he or she is threatened or killed. Even human rights activists and journalists have been targeted.’*

Christian activist, Hyderabad, July 2014

*‘In Pakistan, every day it is more difficult to work on minority rights and issues. We are labelled ... [as] foreign agents, working on foreign agendas and several times threatened by local groups to stop our work... defending the rights of ethnic and religious minorities.’*

Minority activist, Karachi, July 2014

On a more technical level, besides serious gaps in capacity and resources, respondents stressed that there is a lack of coordination among groups that represent different religious communities.

*‘Minority groups will have to work together to make themselves recognized in the parliament... Since the Christian minorities are in a better position they should take the lead. Whenever there are problems in Pakistan, one minority group does not support another minority group. We have to feel the pain of each other, only then can we be effective.’*

Christian representative, focus group discussions,  
June 2014

Other respondents also emphasized that lack of awareness among religious minorities is a key impediment to successfully addressing these issues. As a Hindu activist from Quetta noted:

*‘For so many years we have been witnessing hate and violence – but none of us, among our community, as well as other minority groups, have ever raised their voice about the consciousness and our shared commitment as human beings to such universal human rights conventions and treaties, which invariably have not been taken into account. The one important reason behind our suffering is our lack of awareness and knowledge about ... [these] instruments.’*

Hindu activist, Quetta, October 2012

# Conclusion

*‘ Unless the sense of separation is not changed into a sense of acceptance, and people don’t accept others as different from them and understand that they can still live together in peace and harmony as a nation ... there can be no peace in society.’*

Social activist, Punjab, July 2014

Over the years, various government initiatives have been introduced with the purported aim of addressing religious discrimination in areas such as education, political participation and employment. Yet these efforts often lack effective organization, funding or implementation. Similarly, they have been accompanied by contradictory measures on the part of the government, which has often exacerbated the precarious situation of minorities in the country.

One essential step to increase protections for minorities is the immediate reform of anti-minority provisions in the Constitution, as well as other legislation such as Ordinance XX and Sections 295-B and 295-C of the PCC on blasphemy. Beyond this, other legal loopholes and implementation gaps, such as underdeveloped marriage laws and the failure of police or judiciary to adequately respond to incidents such as the abduction and forced conversion of minority women, must also be addressed.

Without an adequate understanding of minority rights - particularly the challenges facing minority women - among law enforcement agencies and a firm commitment to uphold these standards, however, legal reform will be insufficient. Furthermore, discrimination and prejudice must be addressed at a societal level through the engagement of both majority and minority communities, including minority women, as well as the promotion of minority-sensitive representations in schools and the media. Civil society organizations have an important role to play in ensuring these stakeholders make positive contributions to inter-communal relations through training, awareness raising and advocacy.

Despite continued attacks on religious minorities, there have nevertheless been some limited signs of

progress. These included, during 2013, appeals for inter-faith harmony by both the Prime Minister and President of the country, as well as dialogue between Shi’a and Sunni leaders to develop a code of conduct to prevent both groups from engaging in hate speech. In addition, online platforms have been launched to monitor hate speech on the internet, and in Punjab a pilot programme has been developed to counter radicalization in various religious schools. The Council of Islamic Ideology also for the first time called for those guilty of false blasphemy accusations to be sentenced to death. While such a measure would be in violation of international standards and is not in itself a welcome step forward for Pakistan’s human rights framework, this critical questioning could be productively redirected to addressing the various issues inherent in its blasphemy legislation.<sup>213</sup>

The ability of Pakistan to protect its diverse population and ensure the rights of all religious groups will be crucial not only for the security of its minorities but also for the long-term stability of the country as a whole. The current persecution of many religious communities, though based in part on the country’s recent history, is also a clear indictment of Pakistan’s governance and respect of basic human rights. The targeting of and widespread discrimination against members of these groups, often facilitated by the indifference or active support of authorities, has also contributed to the continued deterioration of security in Pakistan. The future of the country is therefore likely to be determined in large part by its success or failure in accommodating members of all its religious communities as equal citizens.

*‘ I pray that the situation improves in the coming years. Minorities play the same role in development as the majority do.... We are peaceful people; we want our country to be prosperous and we are ready to do whatever it takes for our country.’*

Christian representative, Khyber Pakhtunkhwa, July 2014

# Recommendations

## To the Government of Pakistan

### *Security*

1. **Take immediate steps to stop violence against all religious communities:** Provide effective protection, particularly in areas vulnerable to militant attacks, in consultation with representatives of the communities and with the engagement of local law enforcement agencies.
2. **Provide protection to human rights defenders:** Introduce measures to ensure that human rights defenders, and in particular women, who actively promote and protect the rights of religious minorities and human rights more broadly receive adequate protection in order to conduct their work.
3. **Ensure justice for the victims of extremist violence:** Undertake an independent and impartial investigation into targeted attacks against minorities and activists, working transparently with minority communities and civil society groups to ensure that processes and best practices are observed.
4. **Provide adequate access and security to places of religious worship:** Ensure that the relevant state bodies secure religious sites for all communities to enable them to freely practise their faith in safety. In addition, authorities should remove discriminatory provisions on the construction and maintenance of religious sites.
5. **Ensure that law enforcement agencies do not overlook or participate in the persecution of minorities:** Undertake police monitoring and reform to ensure officers respond effectively to incidents of discrimination. Law enforcement personnel should also undergo sensitivity training on minority and gender issues to improve their handling of forced conversions and other abuses.

### *Legislation*

6. **Reform legislation that disadvantages minorities:** In the immediate term, reform discriminatory laws, such as sections 298-B and 298-C of the PPC, that restrict religious groups from freely practising their faith. Clauses 295-B and 295-C on blasphemy should be

reformed in the short term to prevent their continued abuse through improved evidence thresholds, the immediate removal of the death penalty, the introduction of prison sentences for those guilty of false accusations, compensation for victims and the clarification of imprecise terminology.

7. **Address hate speech by implementing current legislation and introducing new measures:** Develop a clear definition of what constitutes hate speech in the media and enforce legislation that designates hate speech a crime, namely section 153-A of the PPC. Work with the Pakistan Electronic Media Regulatory Authority in order to monitor hate speech online.
8. **Introduce legal mechanisms to recognize marriages of minority groups:** Introduce legal mechanisms to recognize the marriages of minority communities, including Hindus, Sikhs and Bahá'í, and expedite the registration process of Christian marriages.
9. **Address the issue of forced conversion and marriage:** Protect the victims of forced conversion and marriage, and bring perpetrators to justice, by ensuring concrete legal actions to investigate reported incidents. The government should also address the broader social inequalities that enable this practice to occur with impunity.
10. **Meet commitments as stipulated by international conventions that Pakistan is party to:** Align all legislation with the various conventions that Pakistan has signed that promote freedom of religious belief. Ensure that those laws that do promote freedom of religious belief are adequately enforced.

### *Education and employment*

11. **End religious discrimination in schools and madrassas:** Review and remove textbooks and curricula that endorse discrimination against minorities. Authorities should engage in teacher training in order to increase faculty knowledge of the issues that religious minorities face, and develop educational materials and syllabuses to encourage learning about Pakistan's diverse society.
12. **Bring an end to bonded labour:** Enforce the legal prohibition on bonded labour and help those who are subject to this form of outlawed exploitation find



alternative employment, with particular reference to the challenges that marginalized minorities face in escaping the practice.

- 13. Promote employment opportunities for religious minorities:** Ensure that employment quotas in the workplace are followed and that minority members are able to apply for positions equitably and without discrimination. Assist minority members in accessing skilled employment through training and skill development programmes.

#### *Dialogue and political participation*

- 14. Provide full political participation to minorities:** Ensure all citizens enjoy equal voting rights and that Ahmadis do not continue to appear on a separate electorate roll. Allow non-Muslims to occupy all levels of government and lift restrictions such as Articles 41(2) and 91(3) of the Constitution, barring non-Muslims from the positions of head of state and Prime Minister. Devise electoral laws to encourage political parties to engage with minorities and nominate a minimum proportion of candidates from their communities.
- 15. Increase minority representation at the national and provincial level:** Provide for and facilitate the effective participation of minorities, in line with international norms. Set up structures that allow minorities, especially minority women, to participate in decision-making and implementation. Implement mechanisms that allow minority representatives a special role – such as prior consultation and special voting rights – regarding any bill with a major bearing on minority rights.
- 16. Work alongside civil society to facilitate inter-faith dialogue and minority participation:** Collaborate with NGOs and activists to promote discussion and trust-building exercises between different religious groups. Conduct workshops on political participation for religious minorities in order to increase their involvement and knowledge of their rights.

## To Pakistani civil society

- 1. Work directly with minorities to address discrimination:** Support religious minority members, particularly minority women, by providing training, legal counselling, advocacy platforms and other forms of assistance to help communities take action against inequalities, negative representations and rights abuses.
- 2. Provide training and awareness-raising sessions to law enforcement agencies:** Sensitize police and judiciary to minority rights and discrimination to improve their response to violent attacks and other rights abuses, with particular attention to the needs of minority women. Research and monitor victim reporting, registration and subsequent processes to develop a clear picture of institutional failings.
- 3. Increase understanding of minority issues among media representatives:** Provide training sessions and other forms of educational outreach to journalists, editors and commentators to reduce negative or misleading coverage on religious minorities and promote inter-faith harmony.
- 4. Raise awareness among government actors and MPs on the situation of religious minorities:** Form a caucus of sympathetic parliamentarians to ensure that MPs are aware of minority issues and understand the importance of addressing these in Pakistan's governance and legislative systems.
- 5. Engage with schools and *madrassas* to promote diversity and inclusion:** Review hate educational materials and advocate for the removal of biased or hostile content. Provide teacher training and extra-curricular activities such as art and drama to tackle negative representations and promote inclusion among students.
- 6. Enhance dialogue and cooperation between civil society organizations that promote the rights of religious minorities:** Introduce efforts to increase collaboration between activists and NGOs working on minority rights, particularly across religious lines, through forums, networks and coordination of advocacy.

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## Searching for Security: The Rising Marginalization of Religious Communities in Pakistan

Though religious communities such as Ahmadis, Christians and Hindus have suffered discrimination in Pakistan for decades, their persecution has intensified in recent years and has now reached critical levels. Drawing on an extensive review of published research and interviews with a range of activists and minority representatives, this report explores the key drivers of Pakistan's continued religious discrimination at both an institutional and social level. This backdrop of discrimination – much of it actively promoted by government policies, national legislation and law enforcement agencies – in turn enables extremist groups to attack certain communities with impunity.

As this report highlights, addressing these institutional and social inequalities is essential if security for all Pakistan's communities is to be restored. Furthermore, the persecution in Pakistan is both a cause and a symptom of the broader deterioration in human rights and governance. The protection of these groups, in collaboration with civil society groups, religious leaders, law enforcement agencies and other stakeholders, is therefore an urgent priority. Failure to do so will not only continue to threaten the country's diversity, but also the future stability of the country as a whole.

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