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PAKISTAN: THE SITUATION OF RELIGIOUS MINORITIES

A Writenet Report by Shaun R. Gregory and Simon R. Valentine

**commissioned by United Nations High Commissioner for Refugees,
Status Determination and Protection Information Section**

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Acronyms

AIT	Asylum and Immigration Tribunal
APMA	All Party Minorities Alliance
ASI	Anjuman Serfaroshan-e-Islam
BBC	British Broadcasting Corporation
BCE	Before Common Era
CLAAS	Center for Legal Aid Assistance and Settlement
FATA	Federally Administered Tribal Areas
INGO	International non-governmental organization
JES	Joint Electoral System
Ji	Jamaat-e-Islami
JUI	Jamiat-ul-Ulama-e-Islam
MFI	Mehdi Foundation International
MMA	Muttahida Majlis-e-Amal
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
NWFP	North West Frontier Province
PCC	Pakistan Christian Congress
PHRC	Pakistan Human Rights Commission
PML-N	Pakistan Muslim League-N
PPC	Pakistan Penal Code
PPP	Pakistan People's Party
SES	Separate Electoral System
UN	United Nations
US(A)	United States (of America)
USCIRF	United States Commission on International Religious Freedom

Executive Summary

Pakistan is a country of approximately 172 million people, of whom around 95-96 percent are Muslims, comprising roughly 80 percent Sunni and 20 percent Shia. The remaining 4-5 percent are Pakistan's religious minorities, the most important of which, in descending order of their number of adherents, are Christians, Hindus (including Jains), Zikris, the Ahmadiyya, Sikhs, the Baha'i, Buddhists, Zoroastrians (Parsis), the Mehdi Foundation and Jews.

Notwithstanding that some manage to achieve positions of wealth or power in Pakistan, the vast majority of members of religious minorities are highly vulnerable to intimidation, oppression, sexual assault (including rape), violence and even murder at the hands of their Muslim neighbours, often with the collusion or indifference of law enforcement bodies or the legal profession. Part of the explanation for this lies in a widespread religious and cultural antipathy towards other faiths, reinforced over decades by schools' curricula that inculcate stereotypes of Islamic superiority and the difference and inferiority of non-Muslims. Part of the explanation lies also in a constitutional, legal, social, religious and political context in Pakistan which underpins the primacy of Islam and stigmatizes non-Muslims as *de facto* second-class citizens, with reduced human rights, and limited religious freedoms. It is for these reasons that organizations like the United States Commission on International Religious Freedom (USCIRF) condemned Pakistan in 2008 for "severe and egregious religious freedom violations".

Religious minorities with inferred ties to outside states are subject to particularly strong pressure as ciphers for the actions of those states. Thus Christians suffer within Pakistan as proxies for the West and Hindus as proxies for India. The other groups that are severely repressed are those that are seen as heretical forms of Islam, most particularly the Ahmadiyya, and the smaller Mehdi Foundation.

The religious minorities themselves are of one mind on the way ahead, with the repeal of the hated blasphemy laws and their associated laws of evidence and *hudood* ordinances, and proper and proportionate political representation for minorities in all national and provincial assemblies, at the top of their agendas.

The situation for religious minorities, however, looks increasingly bleak. The nominally pro-Western leaderships of both General Pervez Musharraf and President Asaf Zardari and Prime Minister Yousaf Gilani have, over the past ten years, made earnest attempts to improve the situation for religious minorities in Pakistan, but have been forced to roll back these changes in the face of conservative Islamic pressure or have been unable or unwilling to dedicate the political attention or finances necessary to implement meaningful change.

With Pakistan itself now in a state of national peril, riven by terrorist violence, economic crisis, federal instability, food and fuel shortages, and weak political institutions, and with the rise of Taliban influence across Pakistan, religious minorities are more vulnerable than ever.

1 Introduction¹

Pakistan is a country of approximately 172 million people, of whom around 95-96 percent are Muslims, comprising roughly 80 percent Sunni and 20 percent Shia. For the purposes of this report the authors have used a definition of a religious minority, which draws from that of Carpotorti, as:

a group numerically inferior to the rest of the population of a state, in a non-dominant position, whose members – being nationals of the state – possess religious characteristics differing from those of the rest of the state and show, if only implicitly, a sense of solidarity, directed towards preserving their religion and its associated cultural and linguistic norms.²

As such the authors have focused this report not on the Shia who, although numerically smaller than the doctrinally distinct Sunnis, nevertheless form part of the Muslim majority, but on the other religious groups within Pakistan which in total comprise the remaining 4-5 percent of so of the population. Depending on how one defines a religion (as distinct, for example, from a cult) there are more than a hundred of these groups, mainly in ethno-religious forms, many of which see themselves as reformers or revisionists of existent religious groups, but many of which are entirely distinct from mainstream religious forms. A report of this size cannot track each of these groups, nor is it necessary to do so. The large majority of members of Pakistan's religious minorities, as defined above, follow a relatively small number of faiths. It is useful to divide these faiths between those that are wholly distinct from Islam and those that claim some relationship with Islam, whether or not that claim is accepted by mainstream Islam. Of the former the most important, in descending order of their number of adherents, are Christians, Hindus (including Jains), Sikhs, the Baha'i, Buddhists, Zoroastrians (Parsis), Kalasha, and Jews. Of the latter the most important groups, again in descending order of their number of adherents, are Zikris, the Ahmadiyya, Ismailis (including Bohars, Dawoodis, Khojas) and the Mehdi Foundation. Of those which claim a relationship with Islam all are seen as legitimate expressions of Islamic faith by their adherents, though each is also, to varying degrees, rejected as heretical by mainstream Muslims. A further important distinction is that Christianity, Judaism and Zoroastrianism (Parsism) are treated, nominally at least, by the Muslim majority as "people of the book" (*ahl al-kitab*), that is part of a shared Abrahamic tradition, whereas the other non-Muslim faiths are not. This distinction is significant in understanding the attitude of the Muslim majority towards the various faith groups.

The question of the exact numerical size of each of these faith groups is a disputed and highly politicized issue. The most recent population census in Pakistan was held in 1998. At the time the population was measured at 132 million, of whom 96.28 percent were Muslims, 1.59

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² The original definition is quoted in Conde, V., *A Handbook of International Human Rights Terminology*, Lincoln: University of Nebraska Press, 1999, pp 89-90

percent Christians, 1.60 percent Hindus, and 0.22 percent Ahmadi (Ahmadiyya), with the remaining groups comprising in total 0.32 percent.³

A variety of issues – which are explored in the main body of this report – contribute to the distortion of faith group adherent figures, including fear amongst the faith groups themselves, political corruption and the limits of the census methodologies. This is widely thought to lead to under-reporting of faith group adherents. It is thus almost certain that the 1998 figures are themselves incomplete, although they may be considered accurate enough to serve as a useful baseline.

The case of the Christian community illustrates the problem: the official position that – in line with the increased population – the Christian community is probably no more than three million is contested by Christian groups which argue that the figure is nearer ten million. Nazir Bhatti, president of the Pakistan Christian Congress and long-time Christian human rights activist, puts the figure nearer 15 million,⁴ or even 20 million.⁵ Though the latter seems wholly unrealistic it is presently impossible to verify which of the others is the more accurate figure.

That said, for the purposes of this report the authors have examined the evidence in the public domain and balanced the official (if outdated) figures, with the claims of the faith-groups themselves, their external supporters, Pakistan-based NGOs such as the Pakistan Human Rights Commission (PHRC) and the views of external organizations such as the US State Department, Minority Rights International, and other INGOs. The authors' best estimates for the main minority religious groups within Pakistan which are considered in this report are:

Christians	3-5 Million
Hindus	2.5 Million
Zikris	>700,000 ⁶
Ahmadiyya	285,000
Sikhs	50,000 ⁷
Baha'i	30,000
Buddhists	20,000
Zoroastrians	5,000
Mehdi Foundation	<5,000
Jews	<200

Each of these groups in their individual ways is subject to persecution and violence within Pakistan at the hands of the state, at the hands of local Muslim communities, and increasingly in some areas at the hands of violent Islamist groups such as the Pakistan Taliban. The

³ Pakistan, Population Census Organization, *Population by Religion* [1998], http://www.statpak.gov.pk/depts/pco/statistics/other_tables/pop_by_religion.pdf [accessed May 2009]

⁴ Bhatti, N.S., *The Trial of Pakistani Christian Nation*, [Karachi, 2007?], p. 25, http://pakistanchristianpost.com/ebook/The_Trial_of_Pakistani_Christian_Nation.pdf [accessed May 2009]

⁵ Bhatti, N.S., 20 Million Pakistani Christians and Election 2008, *Pakistani Christian Post*, <http://www.pakistanchristianpost.com/vieweditorial.php?editorialid=89> [accessed May 2009]

⁶ Given the size of the Zikri community the authors felt it was important to include it here. However, Zikris report themselves as Muslim and are broadly accepted as such by the government of Pakistan.

⁷ Some experts the authors consulted put the figure much higher, at up to 200,000; however the authors could not substantiate that.

commonalities in these experiences flow from the interplay of political, legal and social factors which create a context of threat, intimidation, powerlessness, and violence for many religious minorities. In order to fully understand these issues this report sets out the political-social-legal context in Pakistan within which minorities live their lives and explains how this context renders these communities highly vulnerable to the vagaries of their neighbours and to the indifference or the excesses of the representatives of the state, which ought to be protecting them and assuring their rights of religious freedom.

The level of threat and violence against Pakistan's religious minorities is such that the US Commission on International Religious Freedom (USCIRF) has recommended that Pakistan be added to the State Department's list of Countries of Particular Concern in respect of religious freedom since its 2003 annual report, stating, *inter alia*, that the government had "engaged in or tolerated particularly severe violations of religious freedom".⁸ That this charge has been repeated annually, in respect of successive governments in Pakistan, is significant, as is the fact that the State Department has to date declined to follow the recommendation to make Pakistan a Country of Particular Concern.⁹ Similarly Minority Rights Group International, in its annual *State of the World's Minorities* reports for both 2007 and 2008, places Pakistan in the top ten (out of more than 150 states) of its lists of states violating minority rights,¹⁰ arguing, moreover, that the importance of Pakistan for the "war on terror" has led western countries, in particular the United States, to ease its official pressure on Pakistan for the improvement of the situation of its minorities.¹¹

It is important to keep in mind that the experience of members of religious minorities in Pakistan is diverse. Amongst members of Pakistan's politico-military elite and urban middle-class, who happen to be from religious minorities, that experience may well be relatively benign, and some have reached positions of political power, senior ranks in the military, or have succeeded in other areas of life such as business or the law. Pakistan makes much of these successes as evidence of its religious tolerance. However, even the richest and most well connected members of religious minorities in Pakistan do not enjoy full human rights or fully equal citizenship. Moreover, these individuals and their families are but a tiny fraction of the overwhelming majority of members of religious minorities in Pakistan who are rural and urban poor. It is the experience of this majority which is the central concern of this report.

An important consequent issue is whether the situation of Pakistan's religious minorities is any worse than that of the Muslim rural and urban poor in Pakistan. The latter often experience poverty, poor education, political corruption, insecurity, powerlessness, bondage, state repression, intimidation and sometimes violence as part of their expected pattern of life.

⁸ United States Commission on International Religious Freedom, *Annual Report*, Washington, May 2003, http://www.uscifr.gov/images/stories/pdf/Annual_Report/2003report.pdf [accessed May 2009]

⁹ See United States Commission on International Religious Freedom, *Annual Report 2009*, Washington, May 2009, p. 65, http://www.uscifr.gov/images/AR2009/final_ar2009_with_cover.pdf [accessed May 2009]

¹⁰ Minority Rights Group International, *State of the World's Minorities 2008*, London, March 2008, <http://www.minorityrights.org/6138/state-of-the-worlds-minorities/state-of-the-worlds-minorities-2008.html> [accessed May 2009]

¹¹ Minority Rights Group International, *Situation for Minorities Has Deteriorated Fastest in Pakistan and Sri Lanka in the Last Year – New Report*, 20 March 2007 (press statement), <http://www.minorityrights.org/683/press-releases/situation-for-minorities-has-deteriorated-fastest-in-pakistan-and-sri-lanka-in-the-last-year-new-report.html> [accessed May 2009]

The argument here is that the situation of religious minorities is worse because in addition to facing all the problems which flow from being poor and powerless in Pakistan, religious minorities face additional difficulties and insecurities which arise specifically from their minority status. It is these latter difficulties that have to be addressed before members of religious minorities can be fully part of wider efforts to improve the overall conditions of Pakistan's rural and urban poor.

To explore these issues this report has been structured into two main parts. The first examines the constitutional-legal, socio-religious and political contexts within which these minorities exist in Pakistan. It shows how these factors interact with widely held, and state-supported, Muslim views of Islamic superiority and the inferiority of non-Muslims and perceived heretics. This section also looks at recent efforts by nominally pro-Western governments in Pakistan to improve the situation for religious minorities and at the implications of pernicious new trends of "Talibanization" in Pakistan since the terrorist attacks in the US on 11 September 2001.

The second part details the background and situation of each of the ten different religious minority groups identified above. These groups have been selected to capture not only the vast majority of members of religious minorities in Pakistan, in numerical terms at least 99 percent of them, but also, between them, almost every nuance of the experience of being a member of a religious minority in Pakistan today. The paper concludes with a look at the refugee and asylum issues which arise from the issues raised in the foregoing, and with some conclusions and an assessment of the outlook for religious minorities in Pakistan in the immediate future.

Before moving on to the substance of the report it is important to say a little about sources. Most of the religious groups discussed in this report are woefully under-researched and little understood. The authors have not had the time or the resources to conduct fieldwork in the country, which in any event could not hope to sample more than a tiny fraction of those discussed in this report. The report consequently relies on publicly available primary and secondary material, primarily printed documents and the electronic media.¹² The authors have greatly benefited from the work of the many Pakistani and international organizations which address minority and religious minority issues in Pakistan. The authors are also indebted to numerous individuals who provided information, links, or documentation, to support the research. Finally the authors are further indebted to those representatives of the faith groups themselves, whom they were able to contact in the time available for this study, and to many Muslim Pakistanis who work selflessly, and sometimes at considerable personal risk, to defend the rights and interests of their fellow citizens of other faiths.

2 Background

Pakistan was founded on 14 August 1947 as a result of the break-up of British controlled India and the withdrawal of British colonial power. It was intended as a safe haven for Muslims from Hindu-dominated India, and was thus from the outset a religious project. Pakistan was not, however, intended to be a theocratic state, that is a state in which the leaders of the government are also the leaders of the religion and rule as representatives of the

¹² These have included the following databases: Academic Search Complete (EBSCO); Academic One-File; International Bibliography of the Social Sciences (IBSS); FRANCIS; Religious and Theological Abstracts; and the ATLA Religion Database with AtlaSerials.

deity. Rather its founder Muhammed Ali Jinnah intended Pakistan to be a modern pluralist secular state in which Islam had primacy and was protected and supported by the apparatus of the state, but one in which other faith groups could also find religious freedom. In a well-known speech, which still has great resonance, Jinnah addressed all the people of Pakistan as follows:

You are free; you are free to go to your temples, you are free to go to your mosques or to any other places of worship in the State of Pakistan. You may belong to any religion or caste or creed – that has nothing to do with the business of the State... We are starting with this fundamental principle: that we are all citizens and equal citizens of one State...¹³

It is rather less well understood, however, that Jinnah intended that the religious freedoms he offered to other faiths were to be seen as issues of tolerance and indulgence on behalf of the Muslim majority and were in no sense intended to allow other faith groups to challenge or undermine Muslim dominance.¹⁴ More importantly still, Jinnah's untimely death on 11 September 1948 left the issue of the exact and ultimate relationship between Islam and the state unresolved and to a significant degree this issue has continued to trouble Pakistan and Pakistanis ever since.

The birth of Pakistan from the partition of India was accompanied by a great upheaval as many Muslims in those areas designated to be within India fled to Pakistan, and many Hindus and other faith groups fearful of Muslim domination in Pakistan fled in the opposite direction. The resultant tumult led to great communal violence on both sides, which claimed at least a million lives and set the context for the sharply conflictual relationship between India and Pakistan that has continued to the present time.¹⁵

A second problem for Pakistan was the ethnic diversity and, to a lesser degree, the religious plurality of those areas which had been brought together to form the East and West wings of the state, separated by more than 1,000 miles of Indian territory. To the west these comprised four provinces – Balochistan, the North West Frontier Province (NWFP), the Punjab and Sindh – together with part of the disputed Jammu and Kashmir region (known in Pakistan as Azad – “free” – Jammu and Kashmir) which was under Pakistani control following a short and indecisive war with India in 1947-1948. In western Pakistan Islam was the one thread which held these regions together and gave credibility to the idea of Pakistan as a cohesive nation-state. The writ of the state in the provinces, however, has never been sufficient to give full substance to that cohesion.¹⁶

To the east the parts of the original Pakistan that today form Bangladesh were dominated by Bengalis at odds with the Punjab-dominated west of the country. The attempts to meld these

¹³ Jinnah's 1947 statement cited from Malik, I. H, *Religious Minorities in Pakistan*, London: Minority Rights Group International, 2002, p. 6, <http://www.minorityrights.org/1034/reports/religious-minorities-in-pakistan.html> [accessed May 2009]

¹⁴ For a helpful discussion on this point see Ahmed, A.S., *Jinnah, Pakistan and Islamic Identity: The Search for Saladin*, London: Routledge Press, 1997, pp 175-7

¹⁵ For a superb analysis of this period see Khan, Y., *The Great Partition: The Making of India and Pakistan*, New Haven: Yale University Press, August 2008

¹⁶ For more on this issue of identity see Cohen, S., *The Idea of Pakistan*, Washington: Brookings Institution, August 2006

two wings into one functioning state were illogical, impractical, and unenforceable. Eventually Bengali nationalism, supported by India, led to war and the creation of Bangladesh in 1971. This national trauma for western Pakistan, a *de facto* second partition, led to further religious convulsions within Pakistan and a second wave of population movement and internal violence, albeit on a smaller scale than 1947-1948.¹⁷

In 1977 General Zia ul-Haq took power by military coup in Pakistan and promoted the Islamization of the state by reaching out to Islamic political parties and Islamic organizations for support against the secular, if neo-feudal, political parties, such as Zulfikar Ali Bhutto's Pakistan People's Party (PPP), which saw themselves as the guardians of Jinnah's secular pluralist vision. Zia opened the doors of the state to Islam and began the introduction of *shari'a* elements in governance and the law. This process was taken a step further by Nawaz Sharif, Pakistan's Prime Minister 1990-1993 and 1997-1999, for the same reasons. The initially more moderate General Pervez Musharraf, who assumed power in another military coup in 1999, also used Islamic religious parties and organizations to shore up his own legitimacy and out-manoeuvre his democratic political rivals, but at the price of further concessions to Islamic parties and organizations.¹⁸

A second trend, related to the increased Islamization of the state and the growing influence of *shari'a*, has been the emergence of Islamic extremism and radical Islamic insurgency and terrorism in Pakistan. This process has been shaped by two events, the first the Soviet invasion of Afghanistan in December 1979 which led the US and Saudi Arabia to support religious fighters (*mujahideen*) in Afghanistan, who eventually brought their ideas and violence into Pakistan's Pashtun areas in the NWFP and in northern Balochistan, and into Jammu and Kashmir. The second was the September 2001 attacks, which once again placed Pakistan on the frontline of a US-led war, this time against the Afghan Taliban and against al-Qaeda and violent militants and insurgents on both sides of the Afghan-Pakistan border.¹⁹

Taken together these issues – the lack of consensus about the nature of the relationship between the state and Islam (and thus between the state and other religions), the ethno-religious diversity of the provinces which make up Pakistan, the limited writ of the state in those provinces, the turbulent history of the two partitions, the deeply inculcated animosity towards India, the Islamization and the increased influence of *shari'a* within the state, and the rise of violent Islamic extremism and terrorism in Pakistan which has been accompanied by the assertion of *shari'a* by non-state actors in some parts of Pakistan – add up to an extremely complex, turbulent, and difficult situation for Pakistan's religious minorities.

3 Religious Minorities in Pakistan: Understanding the Context.

3.1 The Constitutional-Legal Context

Pakistan has a dual system of justice. The earliest, the Pakistan Penal Code (PPC) has its origins in British colonial rule and was enshrined in Pakistan's three constitutions (1956,

¹⁷ Sisson, R. and Rose, L., *War and Secession: Pakistan, India and the Creation of Bangladesh*, Berkeley: University of California Press, 1992

¹⁸ On this Islamization trend in Pakistan and the strengthening of Islamism and Islamic conservatism in Pakistan see Abbas, H., *Pakistan's Drift into Extremism*, London: M.E. Sharpe Press, 2005; Haqqani, H., *Between the Mosque and the Military*, Washington: CEIP Press, June 2005

¹⁹ Rashid, A., *Descent into Chaos*, London: Allen Lane, 2008

1962 and 1973). The 1973 constitution, widely considered the most liberal, contained certain protections for religious minorities, a number of which clearly have their eye on safeguarding against the repression of minorities, including (subject to “law, public order and morality”):

- Article 20: freedom to profess religion and to manage religious institutions;
- Article 21: safeguards against taxation of specific religions;
- Article 22: safeguards around education with respect to religious freedom;
- Article 25: equality of citizenship;
- Article 36: protection of minorities.²⁰

This system has been challenged since the later 1970s by *shari’a* or Islamic law. Over the intervening 30 years Pakistan has seen the erosion of its secular plural legal system through systematic amendment of the 1973 constitution hand in hand with the steady assertion of *shari’a*, and it is these two dynamics that have gradually suppressed the rights and freedoms and increased the repression of Pakistan’s religious minorities.

The most important developments in this regard have been:

- the introduction of *shari’at* benches in Pakistan’s High Courts from 1979 to rule on whether any existing law or provision of the law was “repugnant to Islam” and to amend any laws found so to be. This became a powerful mechanism for amending the 1973 constitution and for eroding the checks and balances within the PPC;
- the introduction in 1979 of *hudoob* ordinances which imposed *hadd* penalties for offences against the “boundaries” set by God in the Qu’ran. These related to areas such as drinking alcohol, taking drugs, theft, and sexual crimes such as adultery and fornication (*zina*);
- the introduction in 1984 of the *qanoon-e-shahadat* or Law of Evidence which reduces the value of court testimony of a Muslim woman and a non-Muslim male citizen to that of half a Muslim (and by extension that of a non-Muslim woman to one quarter of a Muslim man) or may rule non-Muslim witnesses as inadmissible entirely;
- the introduction of a series of amendments to the Blasphemy Laws in the PPC (section 295), adding in 1982 section 295-B which provides for mandatory life imprisonment for desecrating the Qur’an, and in 1986 the even harsher section 295-C which mandates the death penalty for using derogatory remarks in respect of the Prophet;²¹
- the 1988 Ninth Amendment of the Constitution which, although not passed in its tabled form, was subsequently passed in a revised form through parliament in 1991 as the Enforcement of Shari’a Act which, though watered down, made *shari’a* the supreme law in Pakistan and required all laws to be interpreted in the light of the *shari’a*;

²⁰ Pakistan, The Constitution of the Islamic Republic of Pakistan, 10 April 1973, available at <http://www.unhcr.org/refworld/docid/47558c422.html> [accessed May 2009]

²¹ In fact the original amendment in 1986 also allowed life imprisonment or a fine but these alternatives were ruled out by a 1991 Federal Shari’a Court ruling and the death sentence became mandatory. It is also worth noting that on 6 May 1998 Bishop John Joseph, the first indigenous Pakistani Catholic Bishop, shot himself to death outside the courthouse in Sahiwal, near Lahore, to protest both the death penalty passed on Ayyub Masih for the crime of blasphemy, and the mistreatment of Pakistan’s Christians more generally. The “crime” of Ayyub was to have allegedly praised Salman Rushdie’s *Satanic Verses*. See Walbridge, L.S., *The Christians of Pakistan: The Passion of Bishop John Joseph*, London: Routledge-Curzon, 2003

- the 1998 Fifteenth amendment which further tightened the reach and supremacy of *shari'a* and, more importantly, removed some of the legislative barriers to the enforcement of *shari'a* and to implementing the injunctions of Islam.²²

The effect of these laws and amendments has been to remove constitutional and legal protection from religious minorities and to render them highly vulnerable to exploitation, intimidation and violence.

It is clear that the constitutional and legal position makes religious minorities unequal under the law, an inequality which includes the testimony of religious minorities being entirely excluded from some courts at the discretion of judges, their testimony being granted less weight than Muslim testimony, and – in practice – penalties for convicted members of religious minorities often being more severe than the penalty for Muslims for an equivalent crime. While religious minorities in Pakistan formally pay no *jizya* (poll-tax) the inequalities in the law in practice allow unscrupulous Muslims to drive religious minorities from their land, to seize their property, and to take them into bonded labour and slavery.²³

3.2 The Socio-Religious Context

The treatment of non-Muslims within Islam is the subject of much debate but a useful point of departure is the concept of *dhimmi* which, in its sharpest form, can in turn be expressed in relation to the concept of *jihad* (understood for present purposes in its original form as “holy war”).²⁴ Both these ideas emerged in Islam at the time when the Muslim empire was expanding and Muslims were encountering and defeating non-Muslims, and both ideas are informed by the seemingly endless victories of Islamic rulers during this period and by the notion of the Qur'an as the ultimate and final revelation of God which thus confers on Muslims an unassailable superiority over non-Muslims. Since much of the lands Muslims were conquering were populated by Christians and Jews the ideas which were forged in this period were often forged in relation to Christian and Jewish communities. Drawing on the Qur'an and Hadith, Islamic scholars and jurists attempting to give legal and religious structure to *jihad* consequently established a framework for the relationship between Muslims and non-Muslims which effectively classified the latter (infidels) into three categories:

²² This list is drawn from the following works: Saeed, N., *Faith Under Fire: A Report on the Second-Class Citizenship and Intimidation of Christians in Pakistan*, London: CLAAS, 2002, pp 12-18; Sardar Ali, S. and Rehman, J., *Indigenous Peoples and Ethnic Minorities of Pakistan: Constitutional and Legal Perspectives*, London: Curzon Books, 2001, pp 19-43; Sookhdeo, P., *A People Betrayed: The Impact of Islamization on the Christian Community in Pakistan*, Fearn: Isaac Books, 2002, pp 190-301

²³ Very large numbers of Christians and Hindus in the Punjab and Sindh in particular are trapped in bonded labour or slavery in work like brick kilns and carpet-weaving. Around 80 percent of brick kiln workers in some areas are Christians working to pay off family debts long since paid in absolute terms, yet who are illiterate and remain powerless to do anything about their circumstances. See, for example, Human Rights Watch Asia, *Contemporary Forms of Slavery in Pakistan*, New York: Human Rights Watch, 1995. The plight of Pakistan's bonded labourers came to international attention briefly with the murder of 12 year old Christian Iqbal Masih in 1995. Having escaped slavery Iqbal campaigned against bonded labour and was killed to silence him. See Kuklin, S., *Iqbal Masih and the Crusaders against Child Slavery*, London: Henry Holt, 1998

²⁴ For a range of discussions of the *dhimmi* concept see Coubage, Y. and P. Fargues, *Christians and Jews under Islam*, London: IB Taurus, 1997; Friedmann, Y., *Tolerance and Coercion in Islam: Interfaith Relations in the Muslim Tradition*, Cambridge: Cambridge University Press, 2003; Ye'or, B., *Juifs et Chrétiens sous l'Islam: Les dhimmis face au défi intégriste*, Paris: Berg International, 1994

- those who oppose the spread of Islam with arms (*harbis*, from *dar-al-harb*, the house of war);
- those who belong to the lands of truce (*dar-al-sulh*);
- *dhimmis*, or those who have “surrendered to Islamic domination, exchanging their land for peace and protection”.

The treatment of each of these groups was largely prescribed. In relation to *dar-al-harb* warfare was mandatory until Islam established its superiority by force. In relation to *dar-al-suhl*, the notion of truce could often be understood as the temporary suspension of the normal state of war between Muslims and non-Muslims, either because Muslims are temporarily too weak to win the war or because the infidels have agreed to pay to obtain the end of hostilities. The state of truce brought with it duties for the infidels, not least that they would not oppose the development of Islam in their lands, and would if requested provide military contingents for Muslim armies.

It is the third category – *dhimmi* – which relates to Abrahamic faiths within Pakistan and thus the concept requires elaboration here. The notion of *dhimmi* as a protected group carries with it the embedded idea not of care but rather of protection from the on-going *jihad*.²⁵ *Dhimmi* thus accept a treaty of subjugation (*dhimma*) which profoundly circumscribes their freedoms and rights as they would be understood in the modern world. They were protected in this sense only from forced conversion, expulsion or violent death. It is important to note that this status arises because unbelievers are themselves further sub-divided in Islam into *ahl al-kitab* – typically Christians, Jews and Zoroastrians – who were eligible for *dhimmi* “protection” because they are peoples with a revealed sacred scripture with links to the Qur’an, and *kafirun*, other non-believers who have no such scriptural link and for whom even *dhimmi* protection may be unavailable.²⁶ The latter point is particularly pertinent to Hindus and other non-Abrahamic faiths in Pakistan.

It is quite clear from the later suras of the Qur’an, from the Hadith, and from writing and practice in Islamic history that the status of *dhimmi* was usually intended to render the conquered peoples second-class citizens, with restricted freedoms, and that their subjugation was to be a visible part of life under Islam. In many different contexts and at many different points in Islamic history consistent features of *dhimmitude* were obtained in Muslim societies. These included:

- inequalities with regard to taxes and penal law;
- the refusal of *dhimmi* testimony by Muslim courts;
- the wearing of special clothes to distinguish the *dhimmi*;
- restrictions concerning the practice of their religion;
- the overall humiliation and abasement of *dhimmi*.

Before any comparison between the concept of *dhimmi* and the situation of contemporary religious minorities in Pakistan can be discussed a number of issues need to be cleared away. Firstly, the religious minorities in Pakistan have not been conquered by Muslims. Rather

²⁵ Although literally meaning “a struggle or striving for Islam”, *jihad* in this early context of Muslim expansion carried for the most part the connotation of warfare. See Bonner, M., *Jihad in Islamic History: Doctrines and Practice*, Princeton University Press, 2006; Cook, D., *Understanding Jihad*, University of California Press, 2005

²⁶ This analysis draws on Sookhdeo, pp 119-87

these communities in present-day Pakistan have arisen through many distinct historical pathways. For Christians, for example, the main elements of these began in Christian evangelism of the pre-Islamic era, and continued through the era of Islamic-Christian engagement, the colonial era,²⁷ and the post-independence era.²⁸ As a consequence Christians find themselves a minority in a land in which some may have a much longer antecedence than their Muslim neighbours.²⁹ In this context – and since Islamic jurisprudence offers no clear terminology or prescriptions for “unconquered” minorities – what is relevant here about the concept of *dhimmi* is whether in contemporary Pakistan’s religious, legal, political, and social systems there are to be found laws and practices which reflect those of dhimmitude and whether in the day-to-day lives of religious minorities they are treated by some of the Muslim majority in ways which similarly reflect *dhimmi* status.

Secondly it is important to recall that while to the modern mind dhimmitude is oppressive and violent, such practices were by no means exceptional historically and indeed appear positively enlightened in comparison to how some cultures treated those they conquered. It is the case, for example, that most of the peoples of the Indian sub-continent were themselves rendered “second-class citizens” by colonial rule, and it is important not to lose sight of the degree to which Christians in particular may still stand also as targets for anger rooted in the colonial era. However in the contemporary context – in which Pakistan has signed the UN Declaration on Human Rights – the continuation of practices which reflected dhimmitude would be anachronistic and inexcusable.

One further issue of relevance here is the attitude towards religious minorities in Pakistani education, particularly in government curricula taught at government public schools. In their landmark 2003 study, *The State of Curricula and Textbooks in Pakistan*, Nayyar and Salim noted, *inter alia*, that these curricula promoted “perspectives that encourage prejudice, bigotry and discrimination toward fellow citizens, especially women and religious minorities, and toward other nations”.³⁰

Paradoxically, and as a legacy of the colonial era, the higher reaches of private education in Pakistan are strongly populated by Christian schools and colleges, many of which are attended by the upper strata of Pakistani society. The former president, General Pervez Musharraf, himself attended a Christian school.³¹ Such schools, however, whilst offering English language teaching and some Western content are also careful to uphold the country’s Islamic dominance. Nevertheless the quality of these schools and colleges does pay off in a degree of respect for Christians amongst the Pakistani elite which is not reflected elsewhere in the country.

²⁷ Cox, J., *Imperial Fault Lines: Christianity and Colonial Power in India*, Palo Alto: Stanford University Press, 2002

²⁸ Useful insight can be found in Walbridge, pp 3-48

²⁹ O’Brien, J., *The Construction of Pakistani Christian Identity*, Lahore: Research Society of Pakistan, 2006

³⁰ Nayyar, A.H. and A. Salim, *The State of Curricula and Textbooks in Pakistan*, Islamabad: Sustainable Development Policy Institute, 2003, p 5

³¹ See his ghosted autobiography, Musharraf, P., *In the Line of Fire*, New York: Simon and Schuster, 2006, pp 22-3

At the lower reaches the *madrassa* (religious schools) and the often very poor quality low-cost private schools usually provide a curriculum that is anti-Western and particularly critical of Christians, Jews and Hindus.³²

3.3 The Political Context

During the later years of the administration of General Zia the Eighth Amendment of the Constitution, implemented in elections in 1985, created a separate electorate system, whereby Christians and other minorities did not vote in the same elections as Muslims, but rather voted separately for a fixed number of national and provincial representatives. In the National Assembly (lower house) these were fixed at four seats for Christians, four seats for Hindus, one for Sikhs, Buddhists and Parsis (Zoroastrians) combined, and one for Ahmadis. No seats were set aside for minorities in Pakistan's upper house, the Senate. Similarly, reserved seats were set aside in the provincial assemblies for Balochistan, NWFP, Sindh and Punjab, a total of nine for Christians, seven for Hindus, four for Sikhs, Buddhists and Parsis, and three for Ahmadis.³³

The Separate Electoral System (SES) faced minorities with a dilemma: accept the segregation and participate in the political process or boycott the segregated processes and endure political disenfranchisement. They chose participation, in the main, but in the complex politics of patronage in Pakistan separate electorates proved a disaster for religious minorities, as they meant that local Muslim leaders and land-owners who previously might have had to factor religious minorities into their political campaigns now had no incentive to do so. As a result religious minorities across Pakistan were effectively stripped of what protection local political enfranchisement might have afforded them, with their only solace that of a national or provincial platform from which to seek to articulate religious minority concerns but with no ability to influence the agendas of those fora or the outcomes of debate.

Neither of Zia's successors, Benazir Bhutto (Prime Minister 1988-1990 and 1993-1996) and Nawaz Sharif (Prime Minister 1990-1993 and 1996-1999), tackled the issue of separate elections, nor made serious efforts to improve the lot of religious minorities, in large part in Bhutto's case because of her dependence on religiously conservative individuals and groups within and outside the Army; and in Sharif's case because of his own religious conservatism and that of his Pakistan Muslim League-N (PML-N) political party. However when General Pervez Musharraf came to power by military coup in October 1999 he set out a political and social agenda which initially appeared to be moderate and modernizing in its outlook and intentions for Pakistan. As part of this he stated unequivocally that in Pakistan "... minorities enjoy full rights and protection as equal citizens in the letter and spirit of true Islam".³⁴ Under some Western pressure, but consistent also with his own Islamic faith, Musharraf made a series of attempts to revise Pakistan's laws and constitutional amendments and to introduce reforms as these related to the repression of religious minorities.³⁵

³² For more on this see International Crisis Group, *Pakistan: Reforming the Education Sector*, Islamabad, October 2004, <http://www.crisisgroup.org/home/index.cfm?id=3055&l=1> [accessed May 2009]

³³ Pakistan, President's Order 14 of 1985 (Revival of Constitution of 1973 Order), 2 March 1985, http://www.pakistani.org/pakistan/constitution/orders/po14_1985.html [accessed May 2009], subsequently affirmed by the Eighth Amendment to the Constitution, 11 November 1985

³⁴ Cited in Amnesty International, *Pakistan: Open Letter to General Parvez Musharraf*, London, 19 October 1999, <http://www.amnesty.org/en/library/asset/ASA33/028/1999/en/dom-ASA330281999en.html> [accessed May 2009]

³⁵ For more on this see Musharraf, *In the Line of Fire*

In 2000 Musharraf tried to amend the way the blasphemy laws were implemented, in particular to try to ensure that senior police officers were obliged to investigate allegations of blasphemy to see if they could be substantiated before the alleged blasphemer(s) were arrested and charged. In May 2000, under severe pressure from Islamic organizations and Islamist groups, Musharraf was forced to back down and abandon his reforms.³⁶ Four years later, in 2004, Pakistan's National Assembly succeeded in passing amendments which implemented similar reforms, but the overwhelming evidence across the country since 2004 is that police forces have not observed these changes,³⁷ that members of religious minorities are still directly imprisoned and charged with blasphemy on the say-so of Muslim accusers, and that local and national government authorities have not been willing to move against police and legal authorities to ensure the amended laws are observed. The case of Younis Masih, a Christian from Lahore, who was sentenced to death on 30 May 2007, after being arrested and charged on 20 September 2005 for alleged derogatory remarks about the Prophet Mohammed, is illustrative. He was repeatedly attacked in jail and death threats were made against his defence lawyer. Under immense international pressure Younis's sentence was eventually commuted.³⁸ An attempt by a Christian parliamentarian in 2007 to further soften the blasphemy laws was rejected by parliament in May of that year.³⁹ In the same month the Islamist Muttahida Majlis-e-Amal (MMA), on whom the Musharraf government had depended electorally, introduced and found parliamentary support for a bill to make apostasy (conversion from the Islamic faith to another) punishable by death. The bill was on the point of becoming law and fell only when the MMA failed to contest the February 2008 elections and Musharraf's coalition government was defeated.⁴⁰

In January 2002 the Musharraf government also introduced the Education Sector Reform Plan, which was intended to modernize and, to a degree, secularize the curricula as a means to challenge the rapid expansion of *madrassas* in Pakistan offering strictly Islamic forms of education. Included within these reforms were measures to curtail the embedded prejudice against women and minorities within the existing national curricula. However, reform progress has been very slow, in part because of lack of state attention to these issues and in part due to insufficient resources being given in particular to primary and secondary education.⁴¹

Also as part of the January 2002 reforms the Musharraf government announced plans to scrap the SES that disenfranchised minorities so profoundly. At first welcomed by some religious

³⁶ Bennett-Jones, O., Pakistan's Blasphemy Law U-turn, *BBC World News*, 17 May 2000, http://news.bbc.co.uk/1/hi/world/south_asia/751803.stm [accessed May 2009]

³⁷ See, e.g., Police Fail to Uphold Amended Blasphemy Law, *Asia News*, 4 July 2005, <http://www.asianews.it/index.php?art=3639&l=en> [accessed May 2009]

³⁸ Lawson, E., Pakistan's Blasphemy Law Strikes Again, *Christianity Today*, 7 June 2007, <http://www.christianitytoday.com/ct/2007/junweb-only/123-43.0.html> [accessed May 2009]. See also Amnesty International, Further Information on UA 28/06 ... New Concern: Death Penalty, London, 18 June 2007, <http://www.amnesty.org/en/library/info/ASA33/012/2007/en> [accessed May 2009]

³⁹ Rosen-Molina, M., Pakistan Parliament Rejects Calls to Soften Blasphemy Laws, *Jurist*, 8 May 2007, <http://jurist.law.pitt.edu/paperchase/2007/05/pakistan-parliament-rejects-call-to.php> [accessed May 2009]

⁴⁰ Felix, Q., New Apostasy Bill to Impose Death on Anyone Who Leaves Islam, *Asia News*, 5 May 2007, <http://www.asianews.it/index.php?l=en&art=9218&size=A> [accessed May 2009]

⁴¹ International Crisis Group, *Pakistan: Reforming the Education Sector*

minorities⁴² the new Joint Electoral System (JES) which succeeded the SES soon became as much a source of anxiety as the SES had been, with some religious minority organizations exhorting members to boycott both the 2002 and the 2008 elections held under the JEC system.⁴³ The JES reconnects religious minorities with local Muslim politicians and political parties by having their vote restored as part of the joint political franchise. However, it is the subsequently elected Muslims who then get to decide which religious minority members take up the small number of allocated seats in the national and provincial assemblies. This in part is because most religious minority candidates lack money and the organizational basis to campaign effectively and thus must operate through the larger Muslim-dominated political parties if they are to be elected. The effect of this has been to sever the direct voting link between religious minority voter and religious minority representative. Moreover Musharraf's reform did not address what religious minorities perceive to be the under-allocation of seats in the National Assembly or the absence of any seats in the Pakistani Senate for any minority.

In September 2004 Musharraf upgraded the minorities wing of the Ministry of Minorities, Sport, Culture, Tourism and Youth Affairs to a fully-fledged Ministry of Minorities. However this Ministry has been woefully under-funded, has lacked leadership and direction, and has had little or no impact on the situation of minorities in Pakistan. Its website is not informative as to the Ministry's programme.⁴⁴

In November 2006, after seven years of struggle and driven in part by the PPP, the Pakistan National Assembly finally passed the Women's Protection Bill, an amendment to the Hudood Ordinance. President Musharraf was instrumental in giving this bill its final push.⁴⁵ The main change the bill provides is that rape victims may file charges under the criminal law instead of under the previous religious law, which usually treats rape victims as adulterers or as the perpetrators of a sexual crime.⁴⁶ This reform bill was strongly opposed by Islamist groups as well as by many in more moderate political parties, including in the PML-N. It has been evident since the bill was passed that the costs of seeking legal redress through the civil courts are prohibitive for many, that such an option does not in practice exist in many of Pakistan's rural areas and in the provinces where *shari'a* holds sway; and that Christian, and other minority women remain acutely vulnerable to rape and sexual violence. As critics of the reform point out, the bill still leaves the Hudood Ordinances themselves in place and unchanged.

In 2008 the All Party Minorities Alliance (APMA) – the National Assembly grouping of religious minority representatives – tabled a bill asking for an increase in the number of seats in the national and provincial assemblies and welcomed a constitutional proposal for minority

⁴² Pakistan: Christians Hail Electoral Reforms, *Christianity Today*, 11 March 2002, <http://www.christianitytoday.com/ct/2002/march11/24.28.html> [accessed May 2009]

⁴³ See, e.g., Bhatti, N.S., 20 Million Pakistani Christians and Election 2008

⁴⁴ Pakistan, Ministry of Minorities, <http://www.minorities.gov.pk/> [accessed May 2009]

⁴⁵ It is worth noting that Musharraf has also resolutely promoted women in Pakistan's legislature, setting aside a minimum of 60 seats in the National Assembly as part of his project of "enlightened moderation".

⁴⁶ Malik, A., Women's Protection Bill Endorsed by High-level Meeting in Pakistan, *Pakistan Times*, [16 August 2006], <http://pakistanimes.net/2006/08/16/top3.htm> [accessed May 2009]; Asghar, R., Senate Passes Women's Bill: MMA Amendments Rejected, *Dawn*, 24 November 2006, <http://www.dawn.com/2006/11/24/top1.htm> [accessed May 2009]

Senate representation in a new government package.⁴⁷ However, when the Senate, comprised of 100 members, retired half its membership on 11 March 2009, consistent with the political process, having elected 50 more the previous week, none was a representative of a religious minority.⁴⁸

In retrospect it is evident that while Musharraf made a series of laudable attempts to improve the situation of minorities in Pakistan between 1999 and 2007, little meaningful progress was made, at least in terms of the practical impact on Pakistan's religious minorities. This is in part because for much of this period Musharraf was reliant on Islamist parties within the MMA umbrella for his political legitimacy and thus backed down in the face of the Islamist backlash against the proposed reforms. But it is also in part because the Islamization process begun by Zia ul-Haq has shifted the centre of gravity of Pakistan's polity in an ever more conservatively Islamic direction, and shifted also the centre of gravity within Pakistan's military and intelligence agencies.⁴⁹ In this context it may be the growing Islamic conservatism of Pakistanis in general which is as much an obstacle to meaningful reform as Islamic extremism. Furthermore as antipathy grows in Pakistan towards the West as a result of US-led foreign policy and in particular of US and NATO action in the Afghan theatre, Christians as perceived proxies for the West, and Hindus as perceived proxies for the great enemy India, are increasingly bearing the brunt of that antipathy.

Since the election of the Zardari-Gilani administration in February 2008, following the assassination of Benazir Bhutto on 27 December 2007, further steps have been taken to try to improve the situation of religious minorities. The Zardari-Gilani government has sought to revitalize the Ministry of Minorities, introducing a package of measures to promote minority welfare and appointed Shahbaz Bhatti, the prominent Christian human rights activist, in January 2009 as Pakistan's federal minister for minority affairs. For the first time this post has been raised to Cabinet level.

In other liberalizing moves, on 14 January 2009 Shahbaz Bhatti announced that the government planned to introduce legislation to annul the blasphemy laws; however more than four months later no such legislative package has reached the parliament.⁵⁰ The government also lifted restrictions on visas allowing Hindus from outside Pakistan (mainly from India) to attend the festivals at Shiv Mandir in Katas Raj and at the Kali Mandir in Hinglaj, Balochistan. "Religious tourism" has also been encouraged, particularly for Buddhists wishing to visit many of the numerous Buddhist shrines and archaeological sites scattered throughout the country.⁵¹

⁴⁷ Associate Press of Pakistan, APMA Chairman Asks Government to Increase Minority Seats in Assemblies, 23 June 2008, http://www.app.com.pk/en/index.php?option=com_content&task=view&id=42800&Itemid=2 [accessed May 2009]

⁴⁸ Pakistani Christians Are Denied Representation in the Senate: Nasir Saeed, *Pakistan Christian Post*, 3 March 2009, <http://www.pakistanchristianpost.com/headlinenews.php?hnewsid=1004> [accessed May 2009]

⁴⁹ For more on this see Abbas; Hussain, Z., *Frontline Pakistan*, London: I.B.Taurus, January 2008; Weaver, M.A., *Pakistan: In the Shadow of Jihad and Afghanistan*, New York: Farrar, Straus and Giroux, 2003; Nawaz, S., *Crossed Swords: Pakistan, Its Army, and the Wars Within*, Karachi: Oxford University Press, 2008

⁵⁰ Conger, G., Pakistan 'to Abolish Blasphemy Laws', *Religious Intelligence*, 28 January 2009, <http://www.religiousintelligence.co.uk/news/?NewsID=3725> [accessed May 2009]

⁵¹ Nawaz, D., Will India Accept Zardari Olive Branch?, *The Pakistan Spectator*, 14 February 2009, <http://www.pakspectator.com/will-india-accept-zardaris-olive-branch/> [accessed May 2009]

As before, however, the critical issue is whether these are more than cosmetic changes. In the context of Pakistan's economic crisis it seems unlikely that significant additional resources will be made available to religious minorities.⁵² It also remains to be seen whether the resources that are available will be properly managed and whether the package, and the elevated Bhatti, will in due course be able to make a meaningful difference to the lives of minorities in Pakistan.

3.4 The “Talibanization” of Pakistan

A new threat to religious minorities that has emerged in recent years is that from militant extremists in Pakistan, particularly, but not exclusively, those which are based and are expanding their influence outwards from Pakistan's predominantly Pashtun tribal areas, the Federally Administered Tribal Areas (FATA), the North West Frontier Province (NWFP) and northern areas of Balochistan. Four main groups are involved: Afghan Taliban based on the Pakistan side of the Afghan-Pakistan border, the Pakistan Taliban, Punjabi terrorist/extremist groups (such as Lashkar-e-Toiba), and foreign terrorist groups comprising al-Qaeda and those linked to them.⁵³ The media often fails to differentiate these groups, referring to Afghan Taliban, Pakistani Taliban and Punjabi Taliban simply as one Taliban entity.

Together these groups have taken *de facto* control of the FATA, and until recently spread their presence and influence out of the FATA into the settled areas of the NWFP, with a power-base centred on the Swat, Upper and Lower Dir, Buner and Malakand districts. Where they hold sway these groups have imposed a harsh form of Islamic *shari'a* on the people, which includes deep intolerance of religious minorities. This intolerance has taken the form of threats and violence to force conversion to Islam or to force minorities out of their homes and communities.⁵⁴ In response the Pakistan Christian Congress (PCC) filed a petition with the UN New York offices in February 2009, to seek refugee status for Christian migrants from NWFP and others persecuted by Islamic laws in Pakistan.⁵⁵

There is some evidence that the Taliban have forced some Christian and other minority groups to pay the *jizya* tax⁵⁶ and anecdotal evidence that other *dhimmi* practices have been restored in some areas controlled by Taliban groups, with Christians forced to wear yellow

⁵² See Looney, R., *Failed Take Off: An Assessment of Pakistan's 2008 Economic Crisis*, Bradford: Pakistan Security Research Unit, 21 April 2009, <http://spaces.brad.ac.uk:8080/download/attachments/748/Brief+46.pdf> [accessed May 2009]

⁵³ For insightful analysis of this complexity, see Markey, D., *Securing Pakistan's Tribal Belt*, New York: Council on Foreign Relations, August 2008, http://www.cfr.org/content/publications/attachments/Pakistan_CSR36.pdf [accessed May 2009]; Johnson, T. and M.C. Mason, No Sign until the Burst of Gunfire: Understanding the Pakistan-Afghanistan Frontier, *International Security*, Vol. 32 No. 4, pp 41-7, <http://www.mitpressjournals.org/doi/pdf/10.1162/isec.2008.32.4.41> [accessed May 2009]

⁵⁴ See, Pakistan Christians Receive Threatening Letters Urging Conversion, *Christian Post*, 12 May 2007, <http://www.christianpost.com/article/20070512/pakistan-christians-receive-threatening-letters-urging-conversion.htm> [accessed May 2009]

⁵⁵ For the text of this submission see Pakistan Christian Congress Files Petition with UNO for Refugee Status for Pakistani Christians, *Pakistan Christian Post*, 25 February 2009, <http://www.pakistanchristianpost.com/vieweditorial.php?editorialid=104> [accessed May 2009]

⁵⁶ Anzia, L., Christian Women face Unknown World in Pakistan, *Religious Diversity News*, 18 May 2009, <http://pluralism.org/news/article.php?id=22688> [accessed May 2009]

garments or tags to identify them as has been previously recorded in Afghanistan,⁵⁷ and Hindus to wear red turbans.

The “peace agreement” between the government of the NWFP and the Taliban militia group Tehreek-e-Nifaz-e-Shariat-e-Mohammedi agreed on 16 February 2009, which effectively ceded the region to Taliban *shari’a*, was widely seen as the capitulation of the Pakistan government and condemned by human rights organizations in Pakistan as a defeat for democracy and the rule of law. Although the deal collapsed the indications are that it will be very difficult to drive the Taliban and related groups out of the whole of the FATA and NWFP.

Under western and Chinese pressure the Pakistan government and army began military operations in early May to halt and roll back the spread of Taliban influence in the NWFP. These operations have relied largely on airstrikes, helicopter gunships, and artillery and at the time of writing have caused more than two million NWFP residents to flee the fighting, creating a huge humanitarian challenge for the UN and for an ill-prepared Pakistani state.⁵⁸ President Zardari has indicated an intention to push these military operations onwards into other areas of the NWFP and FATA,⁵⁹ which will only precipitate an even graver internal refugee crisis.

Such issues are no longer confined to the tribal areas. The terrorist and militant groups have begun to extend their influence across Pakistan taking their violence to the heart of Pakistan’s cities including the bombing of the Marriott Hotel in Islamabad in September 2008, the attacks on the Sri Lankan cricket team in Lahore in March 2009, and the attack on the police headquarters in Lahore in May 2009. There is evidence that “Taliban” influence (shorthand when used in this way for all the terrorist/militants groups discussed above) has also spread to Karachi through the network of *madrassas*, some of which continue to graduate young men with fiercely pro-Taliban sentiments. In ominous developments Karachi Christian churches have been sprayed with pro-Taliban graffiti and on 26 April 2009 Taliban militants, thought to be from within Karachi’s Pashtun community, carried out a violent attack on a Christian community in the Taseer district of the city killing at least two Christians and injuring many others. Reports speak of people being dragged from their homes and being ordered to convert while at least one Christian boy, Ifran Masih aged 11, was executed.⁶⁰

As a result of anti-western, anti-government, feelings pro-Taliban sentiments are growing amongst ordinary Pakistanis tired of war, tired of insecurity, and tired of being given little or nothing by their wealthy pro-Western leaders. In this context there is a rising tide of antipathy against religious minorities, particularly those like Christians and Hindus who are seen as

⁵⁷ See, Iranian Press Service, Islamic Afghanistan Orders Non-Muslims Wear Yellow Tags, 23 May [2001], http://www.iran-press-service.com/articles_2001/may_2001/taleban_tagging_23501.htm [accessed May 2009]

⁵⁸ Bhattani, A., Government Prepares for Flood of South Waziristan IDPs, *Dawn*, 20 May 2009, <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/provinces/09-govt-begins-preparations-for-expected-waziristan-idps-szh--08> [accessed May 2009]; Nearly 2.4 Million Displaced: UN, *Dawn*, 25 May 2009, <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/14-nearly-24-million-displaced-by-offensive-un-zj-05> [accessed May 2009]

⁵⁹ Swat Is Just the Start: Zardari, *The Nation* [Lahore], 17 May 2009, <http://www.nation.com.pk/pakistan-news-newspaper-daily-english-online/Politics/17-May-2009/Swat-is-just-the-start-Zardari> [accessed May 2009]

⁶⁰ Cole, E., Taliban Attack, Kill Christians in Pakistan Town, *Christian Post*, 26 April 2009, <http://christianpost.com/Intl/Persecution/2009/04/taliban-attack-kill-christians-in-pakistan-town-26/> [accessed May 2009]

proxies for external enemies. The future thus looks increasingly bleak for Pakistan's religious minorities.

4 The Religious Minority Communities

4.1 The Christian Community

Two acts of violence briefly brought international attention to the plight of Christian communities in Pakistan in the aftermath of the 11 September 2001 attacks. In the first of these, on 28 October 2001, sixteen Christians were shot and killed, including six children, and two wounded by gunmen during worship at St Dominic's church in the eastern town of Bahawalpur; in the second, on 20 March 2002, a grenade attack on a Protestant church in Islamabad killed five, including a US Embassy employee and her 17-year-old daughter. As one of America's key allies in the international war on terrorism, Pakistan's military government was embarrassed by these attacks, but sought to dismiss them as the actions of fanatics whom the state had quickly rounded up and imprisoned. The Pakistan government pointed to the presence of many Christians amongst Pakistan's ruling elite and in the higher ranks of its armed forces as evidence of official religious tolerance.⁶¹

In fact the attacks were but the tip of an iceberg, momentarily visible expressions of the widespread and systematic violence, intimidation and persecution of Christians in Pakistan. The UN's Commission for Human Rights and Amnesty International figures for 2000-2007 suggest that between 30 and 50 Christians are subjected, for reasons of faith, to violent death in Pakistan each year and two to three times that number suffer serious injury. Beyond that many hundreds are falsely imprisoned, and many thousands are subject to serious physical abuse, intimidation and threat at the hands both of some of the majority Muslim communities and of elements of the state and local authorities.

These figures are the more serious because of the relatively small size of the Christian communities in Pakistan whose numbers in total have officially been estimated to be around 2-3 percent of the population, in other words a community approximately 3-5 million in size, split approximately equally between Protestants and Catholics.⁶² However, many Christian sources within and outside Pakistan estimate the Christian community in Pakistan to be at least twice the official number.⁶³ Approximately 80 percent of Christians live in the Punjab, with around 14 percent in Sindh, 4 percent in the NWFP, and 2 percent in Balochistan.⁶⁴

⁶¹ A very helpful overview, which discusses the stratification of Pakistan's Christians is Gabriel, T., *Christian Citizens in an Islamic State: The Pakistan Experience*, London: Ashgate, December 2007

⁶² For Pakistan government figures, see Pakistan, Population Census Organization, *Population by Religion*

⁶³ There may be a strong political motive in keeping the Pakistan government estimate of Christians in Pakistan low, given that the number of seats allotted to Christians in national and provincial assemblies has remained fixed since the 1980s despite the expansion of the number of the total seats in those assemblies and the burgeoning population of Pakistan over the past 25 years. I am grateful to Dominic Moghal of the Christian Study Centre, Rawalpindi for discussion on this point. He also suggests that about 98 percent of Christians in Pakistan are Punjabi (irrespective of where they live in Pakistan) and that the remainder are of Goan, Indian or Anglo-Indian origin. See also, Moghal, D., *Building the Kingdom of God on Earth with Special Reference to Pakistan through the Work of the Christian Study Centre*, paper presented at the Annual Priest Conference, Diocese of Copenhagen, Denmark, March 2001, <http://www.sedos.org/english/moghal.htm> [accessed May 2009]

⁶⁴ Sookhdeo, pp 68-9

The gravity of anti-Christian violence comes into focus through specific examples. On 20 September 2001 13 year old Christian Riaz Masih was beaten to death in Rawalpindi; on 5 August 2002 assailants attacked a Christian church at Muree, killing seven; on 9 August 2002 grenades were thrown at Christian worshippers in Taxila, killing 4 and injuring 20; on 25 September 2002 gunmen entered a Christian welfare organization's office in Karachi, tied up seven workers and executed them with bullets to the head; on 5 January 2004 Father Mukhtar Masih Barkat was shot dead in Multan; in May 2004 Samuel Masih became the seventh person accused of blasphemy to be murdered (in this instance beaten to death by a police officer with an iron bar) before Pakistan's courts could deliver a verdict; in the same month Javed Anjum was kidnapped and tortured for five days by students in a *madrassa* in Toba Tek Singh, subsequently dying of his injuries; in April 2005 a Christian NGO worker and his driver were murdered in Peshawar; in November 2005 Christian homes and schools were destroyed by a rampaging mob in Faisalabad; and between 7 and 12 August 2006 Christian homes were attacked in villages on the outskirts of Lahore – particularly around Sharqpur – with many injured, three people severely hurt and one missing, presumed killed. The scope of this violence and intimidation is illustrated by further examples. On 15 January 2004 a car-bomb exploded outside the headquarters of the Pakistan Bible Society in Karachi injuring 16; in April and May 2004 two Christian girls, aged just two and a half and seven, were raped near Lahore, their ordeals failing to subsequently interest the authorities; in June 2004 a homemade bomb was thrown at a church in Kohlu in Baluchistan; in March 2005 *madrassa* students attacked the construction site of a church in Islamabad, injuring 65 Christians and leading the authorities to close the church; also in March 2005 Shahbaz Masih was tortured and threatened with death if he did not convert to Islam; in November 2005 three churches, a convent and the homes of six Christian families were set on fire by a rampaging mob some 1,500 to 3,000 strong in the Sangla Hills area; in December 2005 some Christian families were displaced from their homes in and around the Sangla Hills in order to make way for Muslim families affected by the October earthquake, in February 2006 Christian churches, schools and homes were attacked in reaction to the publication of controversial cartoons by a Danish newspaper, in June 2006 a Christian stone mason, Nasif Ashraf, was severely beaten by a mob for drinking out of a communal glass, and in June 2007 a young Christian man was tortured and gang-raped by up to 30 men for refusing to convert to Islam.⁶⁵

The cumulative evidence is instructive because it shows that violence against Christians is widespread across the whole of Pakistan, from Muree in the north to Karachi in the south and from Lahore in the east to Peshawar in the west. It shows that violence is rural and urban, including in the capital; and that it involves *ad hoc* apparently spontaneous acts of violence, as well as organized violence and violence in which government authorities, local and national, collude either directly or by omission.⁶⁶ It evidences a complex and multi-dimensional pattern of persecution, intimidation and lack of protection. It further shows patterns of retaliatory violence in which Christian communities bear the brunt of Muslim frustrations with Western policy or with events that take place in the West which are seen to be anti-Islamic, such as the publication of the Danish cartoons. Pakistan's Christians thus

⁶⁵ These stories and many others like them are drawn from a variety of sources including CLAAS, the Barnabas Fund, Amnesty International, the Human Rights Commission of Pakistan, and the Pakistan Christian Congress.

⁶⁶ This assertion is further supported, i.a., by examples given in *The Unveiling of Pakistan: A Current Report on the Persecution of Christians in Pakistan*, n.p., 2001, http://www.domini.org/openbook/unveiling_of_pakistan.htm#_Toc474513953 [accessed May 2009]

stand as proxies for the West in the eyes of some Muslims in Pakistan and pay the high price of that perception.

There are two main historical currents which shape the status of Christians in contemporary Pakistani society. One relates to perceptions of Christians in Islam, which has been discussed above; the other to the persistence of caste prejudices in Pakistan that have their origins in the caste structures of the pre-partition Indian subcontinent. Many, and according to some sources the majority of, contemporary Pakistani Christians are the descendants of “untouchables”, who, during the era of colonial rule, converted *en masse* to Christianity in the hope of securing a better dispensation from their colonial rulers. For many Pakistani Muslims as a result, contemporary Christians carry the stigma of the lowest caste inferiority, which may in turn reinforce any prejudices that arise from the resonance of dhimmitude.⁶⁷

In relation to separate identity, though Pakistani Christians do not wear distinct dress the issue of their identity is an acute one given their vulnerability. Common names – such as Masih or Maseeh – or the use of Anglicized Christian names (Michael, Samuel, Joseph, etc.) give away identity, as do Christian buildings and some semi-public Christian celebrations (most notably Christmas and Easter).⁶⁸ Similarly official documentation such as passports, identity papers, registration documents and so forth, which insist on an entry for religious grouping also reveal such identity, something which has been the subject of much Christian anxiety and opposition.⁶⁹ It is fear of how identification of Christian individuals, families and groups might be used by the authorities that leads many Christians to hide their beliefs from the authorities, a decision which also serves the interests of those who wish to under-represent the size of the Christian community.⁷⁰

While in theory there is little restriction on the freedom of Christians to practise their religion (except in relation to evangelism and proselytization for the conversion of Muslims which could be suicidal) this is not the case in practice. Many Christian churches from the colonial era remain locked up and inaccessible to Christians, many churches over the years have been burned down or demolished,⁷¹ and Christians find the path to the maintenance or construction

⁶⁷ For this history see Walbridge. For more on the history of caste relevant to these issues see Ahmad, I., *Caste and Social Stratification Amongst Muslims in India*, Delhi: South Asia Books, April 1978; Frykenberg, R. and Low, A., *Christians and Missionaries in India: Cross-Cultural Communication since 1500, with Special Reference to Caste, Conversion and Colonialism*, New York: William B. Eerdmans Press, 2003

⁶⁸ Christians are often especially vulnerable at these celebratory periods. See, for example, Christian Solidarity Worldwide, *Christians Targetted in Pakistan over Easter Period: Twelve Year-old Pakistani Christian Girl Gang-raped on Easter Day, 27 April 2007* (press release), <http://dynamic.csw.org.uk/article.asp?t=press&id=619&search=> [accessed May 2009]

⁶⁹ Christians in Pakistan Declared on April 11, *Christian Century*, 31 May 2005, http://findarticles.com/p/articles/mi_m1058/is_11_122/ai_n13806516 [accessed May 2009]. See further United States, Department of State, *International Religious Freedom Report 2006: Pakistan*, Washington, September 2006, <http://www.state.gov/g/drl/rls/irf/2006/71443.htm> [accessed May 2009]

⁷⁰ See Sookhdeo, pp 69-70

⁷¹ Sometimes this is even done in retaliation for perceived injustices to Muslims outside Pakistan which have nothing to do with Christians or Christianity. For example many churches were attacked or demolished in Pakistan in “retaliation” for the destruction of the Babri Mosque by Hindi nationalists in December 1992. See United Nations Commission on Human Rights, *Minorities in South Asia: Paper Prepared by I. A. Rehman, Director, Human Rights Commission Pakistan, E/CN.4/Sub.2/AC.5/2003/WP.13*, 5 May 2003. See also Walsh, D., *Attacks Leave Churches Gutted and Religious Minorities Living in Fear*, *The Guardian* [London], 28 November 2005, <http://www.guardian.co.uk/pakistan/Story/0,,1652207,00.html> [accessed May 2009]

of churches often blocked by severe bureaucratic and local authority delays, corruption, and opposition – often violent – from local Muslims.⁷²

In the case of the interplay between the Blasphemy laws, the Hudood Ordinances and the *qanoon-e-shahadat* Law of Evidence the consequences have been quite literally lethal for some Christians. Many Christians have found themselves accused of blasphemy or *hudoon* crimes on the basis of nothing more than the say-so of one or more Muslim accusers, often with a personal grudge or objective in mind, and have then found themselves promptly thrown into jail, often for months or years, where they are subject to violence from other inmates and to torture from police and prison staff. Some have been killed in prison, while those who survive the ordeal often then find themselves subject to trials in which their evidence is given little weight and in which the death penalty may be the outcome.⁷³

The deaths of Samuel Masih on 28 May 2004 and Nasir Masih on 19 August 2004 illustrate this process. Samuel was accused of throwing waste at a mosque and was beaten and then arrested and thrown into Lahore's central jail on 23 August 2003. He was held in the jail, charged with blasphemy, until 22 May 2004 when he was transferred to Gulab Devi hospital having contracted tuberculosis. Two days later he was brutally attacked by a police officer and died of his injuries. Nasir Masih was arrested on 14 August 2004, having been accused by some Muslims of theft. He was tortured for three days by five policemen at the Saddar police station and brought before a magistrates court on 16 August where, despite his condition, he was jailed. Three days later, having been denied prompt medical attention, he was transferred to a general ward but died of his injuries the same day.⁷⁴

In 2002 the Pakistani Christian NGO, Center for Legal Aid Assistance and Settlement (CLAAS) summed up the overall situation of Christians in Pakistan in this way:

Christians in Pakistan are living under constant fear, uncertainty and with a great pain of marginalization in their own land. They are being persecuted and discriminated against constitutionally, socially, culturally, and economically ... Constitutional and legal issues [are] linked to the negative attitudes of government, police, judiciary, and [the] local majority of Muslims towards Christians and other minority groups. Such groups are seen as inconvenient to Islamic rule rather than as full citizens offering enhancement of public life. Police and local Muslims are torturing Christians; false cases are made against Christians under discriminatory laws. Churches are being desecrated and land is being taken from Christians who are then driven into forced labour. Christian women and children are being abducted, raped and forcibly converted to Islam and minors are sent to Kashmir for jihad.⁷⁵

⁷² See, e.g. Pakistan: Mob Confess to Church Attack, *CrossRhythms*, 26 July 2007, http://www.crossrhythms.co.uk/articles/life/Pakistan_Mob_Confess_To_Church_Attack/28165/p1/ [accessed May 2009]; Pakistan Muslim Militants Attack Church, *BosNewsLife*, 15 October 2007, <http://www.bosnewslife.com/3221-3221-pakistan-muslim-militants-attack-church> [accessed May 2009]; Khan, S.K., Church Attacked in Pakistan, *The Persecution Times*, 26 March 2008, <http://thepersecutiontimes.com/church-attacked-in-pakistan/2008/03/26/> [accessed May 2009]

⁷³ See LeBlanc, P., Situation of the Christian Minority in Pakistan, oral statement, United Nations Commission on Human Rights, 1 April 2004, <http://www.franciscansinternational.org/docs/statement.php?id=242> [accessed May 2009]

⁷⁴ The Murder of Christians in Pakistan: Three Case Studies, *Testimony*, No 16, October- December 2004, pp 9-10

⁷⁵ Saeed, N., *Faith under Fire*, p 17

4.2 The Hindu Community

It is a measure of the plight of many of Pakistan's approximately 2.5 million Hindus that some convert to Christianity, or forge hybrid forms of Hindu-Christian practice and worship beside Christians, in order to escape the worse consequences of being poor and Hindu in contemporary Pakistan.

The roots of the Hindus' difficulties lie in four main sources of insecurity: firstly the historical conflicts between Hinduism and Islam for the control of the region which today forms India and Pakistan; secondly the oscillating and on-going tensions and conflicts between India and Pakistan; thirdly, the fact that Hindus are not "people of the book" and thus are not accorded even the status of *dhimmi*; and fourthly that the majority of those Hindus who have remained, unable to join their wealthier co-religionists who fled Pakistan when circumstances became intolerable, are generally the poorest, the least well educated, the lower caste "dalits", often viewed as *chuhras*, that is as "scavengers" or "the lowest caste of village servants", by their Muslim neighbours. Pakistani Hindus are also often referred to pejoratively as *na pak*, that is un-pure (unclean), with the further nuance that one root of the word Pakistan – the "land of the pure" – carries the idea that *na pak* are not really Pakistanis.

The confluence of these narratives amount to a deep cultural prejudice, all the more difficult to challenge because this prejudice, according to one leading source, is "perpetuated by religious supremacism, nationalism, stories, myth, families, media, schooling and bigotry".⁷⁶

In 2006 the Catholic Church of Pakistan's Human Rights Monitor annual report drew attention to what one author has termed "systematic ideological warfare against Hindus in Pakistan".⁷⁷ According to this report, since the Zia Islamization process began in the later 1970s Pakistan has promoted cultural prejudice and religious bias against Hindus through school curricula:

From government-issued textbooks, students are taught that Hindus are backwards and superstitious, and if given a chance would assert their power over the oppressed, especially the Muslims ... Students are taught that Islam brought peace, equality, and justice to the Subcontinent and only through Islam could the sinister ways of the Hindus be checked. In Pakistani textbooks 'Hindus' rarely appears in a sentence without adjectives such as politically astute, sly or manipulative.⁷⁸

The centuries-old rivalry between Hinduism and Islam finds contemporary expression in the conflictual and often violent relationship between India and Pakistan, and in the mirroring of India's Hindu majority's treatment of its large Muslim minority.⁷⁹ Hindus in Pakistan are

⁷⁶ Eteraz, A., Protecting Pakistan's Hindus, *The Guardian* [London], 11 April 2008, <http://www.guardian.co.uk/commentisfree/2008/apr/11/protectingpakistanshindus> [accessed May 2009]

⁷⁷ Pinault, D., *Notes from a Fortune-Telling Parrot: Islam and the Struggle for Religious Pluralism in Pakistan*, London: Equinox Books, 2008

⁷⁸ Mani, E.Y., *Human Rights Monitor 2006: A Report on the Religious Minorities of Pakistan*, Lahore: National Commission for Justice and Peace, 2006, pp 49-50

⁷⁹ The important distinction of course being that while some Muslims in India do suffer violence and repression, Muslims *per se* have full political and human rights in India's secular pluralist democracy. One measure of this is that the size of India's Muslim community has kept pace with that of demographic changes for the whole of India. Indeed the 2001 Indian Census shows Muslim populations growing at a faster rate than Hindus in the previous ten years. See, e.g. Sharma, O.P. and Haub, C., *Change Comes Slowly for Religious Diversity in India*,

often seen as proxies for India or indeed come under suspicion as “fifth columnists”. Thus when tensions between India and Pakistan are high or when the two countries are at war Hindus in Pakistan feel the heat. Similarly if the Muslim community in India is party or subject to communal violence, as in the Gujarat riots of 2002, reciprocal violence is often exacted on Pakistan’s Hindu community.⁸⁰

While it is difficult to be precise it is likely that some six million or so Hindus were living in the territory which presently comprises Pakistan at the time of partition in 1947, around 20 percent of the total population of Western Pakistan at that time, which has been estimated at around 28-30 million. These Hindus were settled mainly in the present-day Sindh province, with sizeable communities in the Punjab and smaller ones in Balochistan and the NWFP. The great upheaval of 1947 saw between six and seven million Hindus flee East and West Pakistan into India, the substantive majority of these (75-80 percent) from Western Pakistan.⁸¹ It thus seems reasonable to estimate that more than five million Hindus fled from Western Pakistan (present day Pakistan), the majority of them from the upper and middle classes, leaving behind perhaps as many as a million mainly poor and lower caste Hindus, though some experts put the figure considerably lower at perhaps 300,000-400,000.⁸²

In the wake of the partition those Hindus who remained survived by maintaining a low profile. Hindu temples were abandoned, never to be reused, Hindus dropped most of the outwards expressions of their faith (caste-marks, wrist amulets, and paste-stripes for example), and public Hindu practices were avoided except in the private grounds of wealthy Hindus. These same constraints and responses obtain today, with the question of Hindu funeral pyre cremation an issue of political contention at present.

The Hindu community has been through five periods of particularly acute threat and violence. The first arose as a consequence of the wars between India and Pakistan in 1965 and 1971. The latter in particular, which led to the break-up of Pakistan, provoked strong anti-Hindu violence (termed by some as “pogroms”) and systematic rape within Pakistan, some of it carried out by the Pakistan Army and security forces.⁸³ The second arose in the late 1970s and 1980s as a result of General Zia’s “Islamization” programme when Hindus, like other religious minorities, found their limited freedoms further curtailed. The third occurred in 1992, in reaction to the Ayodhya crisis in India in which a Hindu militant crowd, estimated by the BBC to be 200,000 strong, destroyed the Babri mosque which stood on the site, claimed by Hindus as the site of an ancient Hindu temple⁸⁴. The fourth took place in 2002,

Washington: Population Reference Bureau, 2009, <http://www.prb.org/Articles/2009/indiareligions.aspx?p=1> [accessed May 2009]

⁸⁰ For competing views see, Bunsha, D., *Scarred: Experiments with Violence in Gujarat*, London: Penguin Books, 2005; Varadarjan, S., *Gujarat: The Making of Tragedy*, London: Penguin Books, 2003

⁸¹ See Amtul, M., *The Impact of Partition: Refugees in Pakistan*, Delhi: Manohar Press, 2006

⁸² The authors are indebted to Ian Talbot for discussion on this point.

⁸³ See Baixas, L., Chronological Index: Thematic Chronology of Mass Violence in Pakistan, 1947-2007, in *Online Encyclopedia of Mass Violence*, 27 June 2008, http://www.massviolence.org/+Pakistan-+?id_rubrique=6&artpage=1-12 [accessed May 2009]. See also Sisson and Rose

⁸⁴ 1992: Mob Rips Apart Mosque in Ayodhya, *BBC News*, 6 December 1992, http://news.bbc.co.uk/onthisday/hi/dates/stories/december/6/newsid_3712000/3712777.stm [accessed May 2009]. For more on this episode, see McGuire, J., *et al*, *Politics of Violence: From Ayodhya to Behrampak*, Thousand Oaks: Sage, 1997. For an outstanding analysis of communal violence in India more generally see

following the Gujarat communal violence mentioned above, and the fifth is taking place at the present time as a result of conflicts and crisis with India in 1999 and 2002 and the rising Islamization and “Talibanization” in Pakistan.

4.3 The Zikri Community

Zikriism is an Islamic reform group, which arose in Balochistan in the fifteenth century. The Zikris, mainly peasant people living predominantly in rural areas, are to be found mainly in Iran and Pakistan. Although it is difficult to estimate the size of the Zikri community (because the Zikris usually regard themselves as Sunni Muslims when voting) it is estimated there are at least 750,000, possibly 800,000, followers of the movement in Pakistan, though figures as high as several million have also been put forward.⁸⁵ These are to be found in specific areas of Balochistan such as Makran, Quetta and Gwadar, and in the city of Karachi. There are also considerable numbers of Zikris living in Kallag, Pasni, and the Dasht valley of Gwadar.⁸⁶

Like the Ahmadi the Zikris are persecuted by mainstream Muslims for beliefs and practices regarded as deviant by Sunni Islam. The most controversial aspect of Zikri teaching concerns the status of their founder. Just as the Ahmadi regard Mirza Ghulam Ahmad as a prophet, albeit a lesser prophet, so the Zikris believe that Nur Pak, an Indian Sufi who established the sect, was a prophet as well as the promised Mahdi. Although Western writers talk of Syed Muhammad Jounpuri (1443-1504) as the founder of Zikriism, very few Zikris have heard of that name.⁸⁷ In their eschatological teaching reference is made to Nur Pak, meaning “pure light”, a primordial figure who lived before Adam, and who is expected to return before the *akhir zaman*, “the last days” to bring about the reformation of Islam. Zikris believe that Nur Pak returned in the fifteenth century revealing new teachings. Although they revere the prophet Muhammad the Zikris believe that his dispensation is superseded by that of Khododad, the “gift of God”, a vaguely defined figure reputed to have lived “seven generations ago”.

Zikris, similarly to Muslims generally, pronounce the *kalima*, the *shahada*, as a confession of faith. However, in their *kalima* the Zikris mention *al-mahdi*, the founder of their faith, as well as the Prophet Muhammad. The method of praying practised by Zikris differs from that of mainstream Muslims. When praying, Zikris, heavily influenced by Sufism, instead of performing the traditional method of *namaz*, recite incantations and sacred verses. There is also no compulsion to face towards Mecca when performing prayer.

Zikris do not go on *hajj*, pilgrimage to Mecca, which, according to Islam generally, is a basic religious duty. Instead of the traditional *hajj* the Zikris perform *ziyarat*, an annual journey undertaken on the 27th night of Ramadan, to Koh-e-Murad, the Mount of Desire, in the city of Turbat, in Balochistan.

Brass, P., *The Production of Hindu-Muslim Violence in Contemporary India*, Seattle: University of Washington Press, 2005

⁸⁵ See Malik, pp 11-12; Minahan, J, *Encyclopaedia of Stateless Nations*, London, Greenwood, 2002, p. 257;

⁸⁶ Private conversation with Zikris, Badshahi Mosque, Lahore, May 2004

⁸⁷ Pastner, S. L., Feuding with the Spirit among the Zikri Baluch: the Saint as Champion of the Despised, in Ahmed, A.S. and Hart, D.M., *Islam in Tribal Societies: From the Atlas to the Indus*, London, Routledge, 1984, p. 65

Another practice which offends mainstream Muslims is the manner in which Zikris meet for prayer, not in a mosque, but usually in the open air on mats and stones. Even when Zikris meet in a *khanas*, a special building, there is usually no *minbar*, pulpit, and there is never the *qibla*, the niche in the wall directing the worshippers towards Mecca.

Zikriism has been a persecuted faith throughout the five hundred years of its existence. In the eighteenth century Nasir Khan, a tribal leader and devout Sunni Muslim, declared *jihad* against the sect and organized several military campaigns to eradicate it. In the nineteenth century, with the conquest of Sind Province by the British, many Zikris migrated to that area to escape persecution by fellow Muslims. In the post-partition era Zikris became subject to the on-going harassment of Sunni mullahs.

Today Zikris are generally free to practise their religion. However, although “violence against Zikris is reportedly rare; societal discrimination and harassment is more common”.⁸⁸ In private conversation with Zikris the present authors were told how, because of their faith, other Muslims ostracize them, calling them *bhangee* (dirty people), and *jahalat* (backward), and pressure is put on many Zikris to accept Sunni Islam.

Since the 1960s, the Jamaat-e-Islami (JI) and the Jamiat-ul-Ulama-e-Islam (JUI), have been the main two organizations campaigning against the Zikris. In 1987 a Zikri leader challenged orthodox *ulema* to enter *munazara* – argument and counter-argument over belief. This led to a surge of anti-Zikri feeling amongst the general Sunni population. A Sunni Muslim group, the Anjuman Sipah-i-Sahaba, unsuccessfully sought to introduce legislation in 1994 that would have declared Zikriism a non-Muslim sect.⁸⁹ Several attempts have been made to try and stop the Zikris from gathering at Koh-e-Murad. In recent years police protection has been granted to the Zikris on such occasions. In the past decade the Baloch *ulema* have adopted a more passive stance towards the Zikris, using persuasion rather than coercion.

There are clear indications that the Zikris still live in some fear. As the Human Rights Commission of Pakistan states: “The acts of violence against the minorities have declined but they appear afraid of articulating their concerns”.⁹⁰ Recent examples of persecution of Zikris include the reported case of Abdul Ghani, a Zikri leader who, in December 2003 was driving through Karachi when two men on bikes stopped him, threw abuse at him, and shot him. He was dead on arrival at the hospital, which led to public protest and demonstrations by the Zikri community in the city.⁹¹

4.4 The Ahmadiyya Community

The Ahmadiyya Jama'at is a reform movement within Islam, officially formed in 1889 at Ludhiana, India. According to the Ahmadi, their founder, Mirza Ghulam Ahmad (1835-

⁸⁸ United States, Department of State, *International Religious Freedom Report 2004: Pakistan*, Washington, September 2004, <http://www.state.gov/g/drl/rls/irf/2004/35519.htm> [accessed May 2009]

⁸⁹ United States, Department of State, *Country Reports on Human Rights Practices 1994: Pakistan*, Washington, February 1995, see extracts at http://www.thepersecution.org/ussd/us94_1.html [accessed May 2009]

⁹⁰ Human Rights Commission of Pakistan, *HRCP Balochistan Mission Preliminary Statement*, Quetta, 26 October [2004?], http://www.hrcp-web.org/balochistan_mission.cfm [accessed May 2009]

⁹¹ Karachi: Chief of Zikri Body Shot Dead, *Dawn*, 22 December 2003, <http://www.dawn.com/2003/12/22/local5.htm> [accessed May 2009]

1908), was the Masih-i-mawud (the promised messiah) and the Mujaddid, the expected reformer. Ahmad claimed to be, not only “the promised messiah”, but also the Mahdi for Muslims, the Messiah for Christians, and a manifestation of Krishna for Hindus. The *ulema* at the time, pronounced a *fatwa* of *kuffar* (declaration of heresy) against him which has not been revoked.⁹² Ahmad, in *al-wasiyyah* (his official will), established *khalifat*, a succession of spiritual leaders to govern the movement after his death. However, a section of the Ahmadiyya movement, led by Maulvi Muhammad Ali and Khawaja Kamal ul-Din, broke away, forming the Ahmadiyya Anjuman Isha’at-i-Islam Lahore, or the Lahore Ahmadiyya Association for the Propagation of Islam. Having as its motto: “Allah is with us”, this group is known as the Lahore Ahmadi because it left Qadian and established its headquarters at Lahore in Pakistan. Rejecting the idea of *khalifat* in terms of absolute authority, the Lahore Ahmadi appoint an *amir* or president, elected for life, as their spiritual and administrative head. Although agreeing with the Qadiani group that Ahmad was a *mujaddid* (reformer), and the promised Messiah and Mahdi, the Lahore Ahmadi reject the idea that he was a prophet.

The Ahmadiyya Jama’at is an international movement with large numbers in America, Britain, Europe, Indonesia and Nigeria. It is difficult to ascertain the precise number of Ahmadi as they have boycotted census and registration for electoral rolls since 1974 when they were declared non-Muslims. There are at least 12 million Ahmadi world-wide and, according to the latest census, of 1998, there were then 286,000 in Pakistan.⁹³ About 60,000 Qadiani Ahmadi live at Rabwah, the headquarters of the movement in Pakistan. The remaining Ahmadi are scattered throughout the country. The current head of the movement, Mirza Masroor Ahmad, resides in London. Official statistics for the Lahore Ahmadi could not be obtained. However, a figure of 30,000 members worldwide was given to the present authors by various persons within the movement. The main group of Lahore Ahmadi in Pakistan, and their *amir* (leader), Professor Abdul Karim Saeed, reside in Darus Salaam, a community in New Garden Town, Lahore.

The Ahmadiyya Jama’at declares itself to be “the true Islam”, created by Allah to bring about “the revival and establishment of the glory of Islam”.⁹⁴ The Ahmadi, like Muslims generally, believe in the so-called five pillars of Islam.⁹⁵ The Ahmadi notions of *iman* (belief) and *amal* (deeds and practice) are to a great extent identical to the belief and practice of mainstream Islam. However the Ahmadi teach certain doctrines which, differing from those of Muslims generally, has given rise to fierce persecution. These include teaching on prophethood, *jihad*, *khalifat* and Jesus.

Concerning prophethood mainstream Islam teaches the doctrine of *khataman nabiyeen*, the finality of prophethood, the idea that Muhammad is the seal, the greatest and the last of the prophets. The Ahmadi acknowledge that Muhammad “was and will ever remain the greatest

⁹² This section draws on Valentine, S.R., *The Ahmadiyya Jama’at: A Persecuted Sect in Pakistan*, Bradford: Pakistan Security Research Unit, June 2008

⁹³ Quoted in United States, Department of State, *International Religious Freedom Report 2004: Pakistan*. Later editions of the report omit this figure and instead provide an Ahmadiyya estimate of two million. See, e.g. United States, Department of State, *International Religious Freedom Report 2006: Pakistan*

⁹⁴ Chaudhry, A.A., *The Promised Messiah and Mahdi*, Islamabad: Islam International Publications, 1995, p. 5; Zirvi, K., *Welcome to Ahmadiyyat: The True Islam, Ahmadiyya Movement in Islam*, Silver Springs: Islamic Publications Ltd, 2002, p. 11

⁹⁵ Ahmad, W., *A Book of Religious Knowledge for Ahmadi Muslims*, Athens: Fazl-i-Umar Press, 1988, p. 38

Prophet of all times”⁹⁶ and that he is “the last law bearing prophet”.⁹⁷ However the Ahmadi claim there can still be lesser prophets,⁹⁸ non-legislative, *zilli* (shadowy) prophets. According to the Ahmadi, *khataman nabiyeen* (the Arabic phrase found in Surah 33:41 translated as “seal of the prophets”) is to be understood, not as meaning “the last of all prophets”, but as “father of prophets”, the greatest of all prophets, and the last law-bearing prophet. Ahmad is accepted as *ummati nabi* (a subordinate prophet) and is believed to be *imam mahdi* and “promised messiah”, prophesied by the Prophet Muhammad. Ahmad professed himself to be one of the *muhaddathun*, inspired persons, “people who are spoken to” by God. He claimed he was a prophet, *sirat-i-siddiqui*, one who is totally annihilated in the love of the prophet Muhammad. The Ahmadi teaching on prophethood is regarded by the majority of Muslims as being “the most dangerous – of all the conspiracies hatched against Islam in modern times” giving rise to “wide-spread mental chaos amongst the *Ummah*”.⁹⁹

The Ahmadi doctrine of *jihad* is also controversial. Advocating the Qur’anic principle that “there is no compulsion in religion”, the Ahmadi “strongly reject violence and terrorism in any form and for any reason”.¹⁰⁰ Aggressive *jihad* according to the Ahmadi is nothing less than “murder in the name of Allah”.¹⁰¹ Ahmad presented *jihad* mainly as a defensive doctrine. He recognized three legitimate types: war “undertaken in self defence”, as “chastisement for aggression” and “those undertaken for the establishment of freedom of conscience, that is to say for breaking up the strength of those who inflicted death upon such as accepted Islam”.¹⁰² Ahmad argued that *jihad-bil-qalam* (*jihad* of the pen) must take the place of *jihad bi-saif* (*jihad* of the sword) in the present age.¹⁰³

Although the Ahmadi renounce violence, the movement is not totally pacifist. Accepting the principle of self defence, the Ahmadi have been involved in various conflicts such as the opposition to Indian rule in Kashmir,¹⁰⁴ and the support of Britain in the Second World War. For its own safety the Ahmadi formed its own militia during the partition of Pakistan and India in 1947. Some Muslims, believing that Ahmad fashioned his beliefs so as to gain British support, have branded him “a stooge of the late British government, who banned *jihad* and inculcated loyalty to the British government”.¹⁰⁵ The Ahmadiyya Jama’at has

⁹⁶ Zirvi, p. 285

⁹⁷ Dabbous, M., Editorial [untitled], *Al-Baseerat*, December 1992, p.6

⁹⁸ Ahmadiyya Muslim Jama’at, *Mahzarnama – the Memorandum: Submission by the Ahmadiyya Muslim Jama’at to the National Assembly of Pakistan Regarding Its Basic Tenets*, Tilford: Islam International Publications Ltd, 2002, p. 108, <http://www.alislam.org/library/books/mahzarnama/Mahzarnama.pdf> [accessed May 2009]

⁹⁹ Mawdudi, S.A., *Finality of Prophethood*, Lahore: Islamic Publications, 1975

¹⁰⁰ Ahmad, M.T., *The Holy Quran*, Islamabad: Islam International Publications Ltd, 1994, sura 2:257; Ali, M., *The Ahmadiyyah Movement*, Lahore: Ahmadiyya Anjuman Isha’at Islam, 1984, p. 13. For a full appraisal of the Ahmadi teaching of *jihad* see Valentine, S.R., *Islam and the Ahmadiyya Jama’at*, London: Hurst, 2008, ch. 9

¹⁰¹ See Ahmad, M. T., *Murder in the Name of Allah*, Cambridge: Lutterworth Press, 1989

¹⁰² Ahmad, M.G., *Sitārah Qaisariyyah, Ruhani Khaza*, vol. 15, pp. 120-1, cited in Chaudhry, p. 7

¹⁰³ Bakhsh, K.S., *The Debt Forgotten*, Lahore: Ahmadiyya Anjuman Isha’at Islam, 1993, p. 36

¹⁰⁴ See Lavan, S., *The Ahmadiyya Movement: A History and Perspective*, Delhi: Manohar Book Service, 1974, pp. 145-82

¹⁰⁵ Criticisms raised against Ahmad, summarized in Bakhsh, p. 9

accordingly been seen as “a handmaid of imperialism”, its missionaries acting as spies serving “British and Zionist political interests”, particularly in Russia and Afghanistan.¹⁰⁶

Another controversial teaching of the Ahmadi is that relating to *khalifat*. The Ahmadi believe in the appointment of *khalifas*, not only as “the worldly and spiritual head of the [Ahmadi] community”,¹⁰⁷ but also as “the patron and guardian of the true *Khilafat*” originating from the “rightly guided Caliphs” of the seventh century.¹⁰⁸ The Ahmadi *khalifa*, who presides over the movement for life, is regarded by the Ahmadi as the successor of the Prophet. Although many Muslims believe in the re-establishment of the *khalifat* before judgment day, the claims made by the Ahmadi for their *khalifa* are regarded as blasphemous.

Concerning Jesus (or Isa), contrary to the beliefs of mainstream Islam the Ahmadi reject the idea of the virgin birth and the immaculate conception. The Ahmadi teach that Jesus, instead of dying on the cross as Christians believe, or being taken alive into heaven as mainstream Muslims teach, escaped from the Romans, travelled to the East, finally settling and dying in Kashmir.¹⁰⁹

Mainly because of the teaching outlined above the Ahmadi are rejected by mainstream Muslims as *kuffar*, unbelievers, and referred to derogatively as Qadianis (Qadian being the birthplace of Ahmad) and Mirzai (a reference to the first name of the founder of the Ahmadi movement). Perceived as being teachers of heresy, they are condemned as apostates and *zindique* (heretics). As such the Ahmadi are seen as a grave threat to the very existence of the *ummah* as a united community, a group deliberately making Muslims ever more confused and demoralized.¹¹⁰

In 1953 militant Muslims, led by the Anjuman-I ahrar-I Islam (Society of Free Muslims), called for a banning of the Ahmadi sect and the removal of Chaudry Zafrulla Khan, a prominent Ahmadi, from his position as Foreign Minister.¹¹¹ Rioting and arson attacks took place against Ahmadi property in various places, particularly in Lahore and other Punjabi towns. Martial law was imposed and several members of the *ulama*, including Abul Ala Mawdudi, founder of the Jamaat-e-Islami, were arrested. Mawdudi had inflamed the passions of many Muslims against the Ahmadi by publishing his pamphlet *The Qadiani Question* and his book *The Finality of Prophethood*, which contained a scathing attack on Ahmadi teaching, especially their teaching on prophethood. In 1954 the second *khalifa* was attacked

¹⁰⁶ Ahmad, B., *Ahmadiyya Movement: British Jewish Connection*, Rawalpindi: Islamic Study Forum, 1994, <http://alhafeez.org/rashid/bjc.pdf> [accessed May 2009], pp. 1, 4

¹⁰⁷ Selby, T., *The Promised Messiah*, *Al-Baseerat*, November 1994, p. 8

¹⁰⁸ Ali, C. H., *Establishment of khilafa*, *Review of Religions*, Vol. 96, No. 5, May 2001, p. 38

¹⁰⁹ Ahmad, G. M., *Jesus in India*, Islamabad: Islam International Publications, 1989, p. 66

¹¹⁰ Iqbal, M., Qadyaniat, *Qaumi Digest*, July 1984, pp. 243-62; Khan, F., *Hadrat Pir Meher Ali Shah of Golra Sharif*, 3rd ed., n.p., 1989, p. 82, http://www.golrasharif.com.pk/Hazrat_Pir_Meher_Ali_Shah_of_Golra_Sharif.htm [accessed May 2009]; Jamil, U., *Minorities in 'Islamic States': Explaining Baha'i and Ahmadi Marginalization in Iran and Pakistan*, MA thesis, Quebec: McGill University, 2002, http://digitool.library.mcgill.ca:8881/R/?func=dbin-jump-full&object_id=29509&local_base=GEN01-MCG02 [accessed May 2009]

¹¹¹ Ahmadiyya Muslim Association, *Persecution of Ahmadi Muslims in Pakistan*, London, 1988, p.6

by a would-be assassin with a knife, the tip of which broke off becoming embedded in the jugular vein. The *khalifa* survived but his health was seriously affected.¹¹²

Persecution of the Ahmadiyya Jama'at has continued in Pakistan to the present day. On 7 September 1974, President Bhutto and the National Assembly of Pakistan passed a resolution which declared that the Ahmadi were to be regarded as a non-Muslim minority. Under this legislation Ahmadi have the freedom to practise their religion amongst themselves providing they do not represent themselves as Muslims. In response to this the Ahmadi presented a *mahzarnama* (memorandum), a defence of their teaching, to the Special Committee of the National Assembly of Pakistan.¹¹³

In 1977 General Zia ul-Haq, President of Pakistan, imposed martial law and allowed a further period of fierce persecution against the Ahmadi to take place. During this Ahmadi shops were burnt, mosques desecrated, cemeteries violated, individual Ahmadi beaten up or even murdered. The police did little to prevent such activity or to apprehend the culprits.

On 26 April 1984 General Zia introduced Ordinance XX which added sections 298(b) and 298(c) to the Pakistani Penal Code. Section 298(c), commonly referred to as the “anti-Ahmadi laws”, prohibits Ahmadi from calling themselves Muslim, referring to their religious beliefs as Islam, preaching or propagating their religious belief, inviting others to accept Ahmadi teachings, or “insulting the religious feelings of Muslims”. The punishment for violation of the section is imprisonment for up to three years and a fine. The aim of these sections, as the Ordinance states, is to prevent the “anti-Islamic activities of the Qadiani Group, Lahori Group and Ahmadis”.¹¹⁴ This legislation also prohibited the Ahmadi using the *azan* (the call to prayer); calling “his place of worship as *Masjid* [mosque]”; to pray according to Islamic custom; the use of the *kalima* (declaration of faith) and the inscribing of Qur'anic verses on their mosques. Under section 298(b) Ahmadi are forbidden to refer to, or address, “any other person, other than a *caliph* or companion of the Holy Prophet Muhammad as *ameerul mumineen* [commander of the faithful]; *khalifa-tul-mumineen* [*khalifa* or leader of the faithful]; *Khalifa-tul-Musilmeen*” [*Khalifa* of Muslim believers]; *sahaabi*” [companion of the Prophet] or *Razi Allah Anho* [may God be pleased with them]”. Likewise they could not “refer to, or address, any person, other than a wife of the Holy Prophet Muhammad as *Ummul-Mumineen* [mother of the faithful]”. In May 1984, due to continued fears for his life, the *khalifa* was removed from Rabwah, to new headquarters in London.

In 1986 the Pakistani government inserted 295 (c) into the Penal code, which states that the penalties for blaspheming the prophet Muhammad were death or life imprisonment and fines. This section was amended in 1991 to make the death penalty the only punishment for blasphemy. Also in 1991 section 295(a) was amended to increase the maximum punishment from two to ten years. Under the Conduct of General Elections Order, 2002, the “status of Ahmadis etc.”, was “to remain unchanged”.

In conversations with numerous Ahmadi in Pakistan and Britain, and in dialogue with both Hadhrat Mirza Masroor Ahmad, the present Ahmadi *khalifa*, and Professor Abdul Karim Saeed, *amir* of the Lahori Ahmadi, details were provided of the harassment and

¹¹² Zirvi, p. 309

¹¹³ Ahmadiyya Muslim Jama'at, *Mahzarnama – the Memorandum*, p.iii

¹¹⁴ For the text of Ordinance XX, and a full report of the persecution of *Ahmadi* in Pakistan, see Ensor, J. (ed.), *Rabwah: A Place for Martyrs*, London: Parliamentary Human Rights Group, 2007

discrimination faced by Ahmadi in Pakistan.¹¹⁵ Reference was made to passport regulations, and how applicants are required to sign a declaration that they “consider Mirza Ghulam Ahmad Qadiani to be an imposter *nabi* and also consider his followers whether belonging to the Lahori or Qadiani group to be Non-Muslim”. Due to this passport requirement most Ahmadi are restricted from going on the *hajj*, because they are unable to declare themselves as Muslim. Ahmadi face discrimination in relation to the national identity card which every citizen must have in order to vote. As with the obtaining of a passport those wishing to be listed as a Muslim must affirm on oath their belief in *khataman nabiyeen* and their denunciation of *ahmadiyyat*. In 2002 President Musharraf abolished this requirement, but later reversed his decision, resulting in a boycott of the general elections taking place that year by the Ahmadiyya community. Discrimination also occurs in education as students must declare their religious affiliation, and belief in Muhammad as the final prophet, on application forms for entrance to state universities and private educational institutions.

Since 1983 Ahmadi have been prohibited from holding public conferences or gatherings, and been denied permission to hold their annual conference. Career prospects and promotion is another issue. In conversation with Ahmadi in Faisalabad, Lahore and Rabwah the present writer was informed that the government persistently discriminated against members of their communities in hiring for the civil service and in admissions to government institutions of higher learning. It was argued that they were prevented from being promoted to senior positions and that certain government departments refused to hire or retain qualified Ahmadi. Ahmadi businessmen, even solicitors, were often ostracized by other members of their trade or profession and by the local community generally. Although there are no official barriers to promotion in the Armed Forces Ahmadi rarely rose above the rank of colonel and were not assigned to politically sensitive positions.

The official statistics showing a “summary of the cases instituted against Ahmadi in Pakistan from April 1984 to April 2004” makes horrendous reading. According to these statistics the number of Ahmadi charged for displaying the *kalima* was 756; 37 for calling *azan*; 404 “for posing as Muslims”; 131 for using Islamic epitaphs; 590 for preaching; 213 charged under the Blasphemy Laws and 845 “for various other cases against Ahmadi under anti-Ahmadi Ordinance 298 B/C”.¹¹⁶ A charge sheet was made by the authorities against the entire Ahmadi population of Rabwah in December 1989 accusing them of inscribing “*Kalmia tayyaba* and other Qur’anic verses on their graves, buildings, offices of Ahmadiyya community, places of worship and business centres” in contravention of the legal prohibitions of 1984.¹¹⁷ “Moreover”, declared the charge sheet, “they persistently preach their religion to Muslims in different ways” such as “deliberately saying *Assalam-Alaikum* [peace be on you] to Muslims, reciting *Kalima Tayyaba* in loud voice in groups in the town at the time of call to morning prayers and by repeatedly indulging in similar Islamic activities”. The list goes on.¹¹⁸

¹¹⁵ Hadhrat Mirza Masroor Ahmad, Bradford Ahmadi Mosque. Personal interview, 11 November 2008; Lahori Amir, Darus Salaam. Personal interview, April 2004

¹¹⁶ Human Rights Commission of Pakistan, *Rights Denied: Ahmadiyya Community*, 29 May 2008. See also Ensor (ed.). Information concerning persecution against the Ahmadi is gained from a variety of sources including CLAAS, the Barnabus Fund, Amnesty International, the Human Rights Commission of Pakistan, and the Pakistan Christian Congress as well as Ahmadi sources.

¹¹⁷ Human Rights Commission of Pakistan, *Rights Denied*

¹¹⁸ *Ibid.*

Non-Ahmadi sources, confirming the statistics put forward by Ahmadi, report how 208 Ahmadi were forcibly converted to Islam between 1999 and 2006. Between 1986 and 2006, 302 Ahmadi were accused of blasphemy while a total of 89 blasphemy cases were registered against them.¹¹⁹ Both the 2006 and 2007 Human Rights Watch reports indicate that the number of blasphemy cases registered has been increasing and that the Ahmadi community is particularly targeted for arrests under blasphemy laws. The 2007 report adds that “scores were arrested in 2006”. In 2006, at least 25 Ahmadi were charged under the blasphemy law, and many of them are still imprisoned. Approximately 350 Ahmadi have been indicted in criminal cases, including blasphemy, since 2000, with several having received convictions. In May 2008 the Pakistani government prohibited the Ahmadiyya community of Rabwah from celebrating the centenary of its *khalifat* (the system of succession of Islamic prophets), as it is considered heretical by Sunni and Shi’ite Muslims. Federal police agents interrupted the celebrations, and put the promoters of the initiative under house arrest.

Examples of the persecution of Ahmadi include that of Mirza Mubarak Ahmed, originally charged in September 1989 under Section 298 PPC in Sotligth town Mirpurkhas, with having “offered pray[er] ... with face towards *kabatullah*” and “by posing himself as Muslim and injured the feelings of Muslims”.¹²⁰ Although the defence counsel justifiably argued that Article 20 of the Pakistan Constitution says that every citizen shall have the right to propagate and profess his faith, the Court held that “offering prayer by any person as per his own faith is no offence but when hurt has been caused to the feelings of other persons then it becomes an offence and when a person of Qadiani or Ahmadi do any act by posing himself as Muslim, then it is an offence under s298 (c) PPC”. The Court also stated that the offence is committed “irrespective of public or private place”. The judge in this case cited 1993 SCMR, page 1718 which states that regarding Ahmadi “their use of *Shaairo* [sic] Islam thus amounts to either posing as Muslims, or to deceiving others or to ridicule”. In May 2000, Mirza Mubarak Ahmed was pronounced guilty but, due to the fact that he “has suffered the agony of protracted trial for more than eleven years and also remained in jail ... for the period of about 2 months and 21 days” his sentence was the period of incarceration already suffered and a fine of 3,000 rupees.

There are continuing reports of harassment and persecution of Ahmadi particularly in Layyah district. On 28 January 2009, despite the total lack of any incriminating evidence, and on the accusation of only one man, five Ahmadi, including “one man and four children aged between 14-16 from Kot Sultan, District Layyah, were arrested under Section 295-C of the Pakistan Penal Code, for allegedly placing graffiti on the wall of a local mosque defiling the name of Prophet Muhammad”. On the evening of 9 February 2009, a mob of several thousand protestors gathered in Chak 172/TDA in the Layyah district, chanting anti-Ahmadi slogans, threatening local Ahmadi families and calling on the government to sentence to death the five accused Ahmadi.¹²¹

¹¹⁹ Figures from Catholic Bishops’ Conference of Pakistan, National Commission for Justice and Peace, *Annual Report 2007*, cited in Catholic Official Expresses Concern over ‘Religious Assassinations’, *UCANews*, 24 March 2009, <http://www.ucanews.com/2009/03/24/catholic-official-expresses-concern-over-religious-assassinations/> [accessed May 2009]

¹²⁰ Mirza Mubarak Ahmed, Ahmadi Mosque, Bradford. Personal interview, 10 January 2009. Quotes from Case no 96, 1999, Court of Judicial Magistrate, Hyderabad Sindh, the State v Mirza Mubarak Ahmed

¹²¹ Human Rights Commission of Pakistan, *Ahmadi Held without Any Evidence of Blasphemy – HRCP*, 12 February 2009 (press release), <http://www.hrcp-web.org/hrcpList.cfm?catId=180> [accessed May 2009]. See also

4.5 The Sikh Community

According to the census of 1998 there were approximately 20,000 Sikhs living in Pakistan.¹²² More recent sources estimate the Sikh population as considerably higher at about 50,000.¹²³ Before the Partition of 1947 large numbers of Sikhs were to be found throughout Pakistan, but particularly in the Punjab. However, due to fierce persecution by Islamic groups wishing to preserve the newly created state of Pakistan as a Muslim country, many Sikhs fled to India. Sikhs today reside mainly in the Peshawar region. There are small pockets of Sikhs also in Lahore and Nankana Sahib in Punjab.¹²⁴ During the past ten years, due to the influence of the Taliban and the US invasion of Afghanistan, small numbers of Sikhs have also migrated from Afghanistan joining the Sikh communities in Lahore and Peshawar.

Generally speaking Sikhs in Pakistan enjoy relative freedom to practise their faith. Gurdwaras (Sikh temples) can be found, and are used as places of worship, in the areas mentioned above. Sikh pilgrims from India and elsewhere are given the freedom to visit holy sites in Pakistan for special festivals, especially *baisakhi* celebrations, during which they visit the birthplace of the founder of their faith, Guru Nanak, at Nankana Sahib. In 2008 over 4,000 Indian Sikhs visited Pakistan to celebrate the *baisakhi* festival.¹²⁵

Despite such relative freedom Sikhs are still subjected to discrimination and sporadic outbursts of persecution. Such persecution can take various forms. Sikhs, like members of other religious minority groups living in Pakistan, have been denied access to senior positions in the government and armed forces. Harcharan Singh, in 2007, became the first Sikh for almost 60 years to be accepted as an officer in the Pakistan army.¹²⁶

Harassment and persecution of Sikhs can be direct and violent. In August 2007 an eighteenth century Sikh temple at Naulakha Bazaar, Lahore, was taken over by a Muslim group which replaced the gurdwara's religious symbols with Islamic slogans. The Sikh community complained to the appropriate authorities listing amongst other things the failure of the police to prevent such a violation of human rights.¹²⁷ After many months the Sikh community was allowed to use the gurdwara.

Human Rights Commission of Pakistan, *Fact-finding Report: Filing of Blasphemy Charges against 5 Ahmadis in Layyah District*, Islamabad, February 2009

¹²² Quoted in United States, Department of State, *International Religious Freedom Report 2006: Pakistan*

¹²³ Walia, V., *Marayada* May Be in Danger, but Sikhs Are Special in Pakistan, *The Tribune* [Chandigarh], 12 April 2003, <http://www.tribuneindia.com/2003/20030412/windows/main1.htm> [accessed May 2009]

¹²⁴ For basic background information see, e.g., Sikhism in Pakistan, *Wikipedia*, http://en.wikipedia.org/wiki/Sikhism_in_Pakistan [accessed May 2009]

¹²⁵ Singh, J., Thousands of Sikhs Arrive in Lahore to Celebrate Baisakhi, *Global Sikh News*, 12 April 2009, <http://sikhangat.org/1469/2009/04/thousands-of-sikhs-arrive-in-lahore-to-celebrate-baisakhi/> [accessed May 2009]

¹²⁶ Pakistan Army Gets Its First Sikh Officer, *The Times of India*, 28 October 2007, http://timesofindia.indiatimes.com/World/Pakistan/Pakistan_army_gets_its_first_Sikh_officer_Harcharan_Singh/rssarticleshow/2497232.cms [accessed May 2009]

¹²⁷ Tussle over Bhai Taro Singh Jee Temple: Sikhs Being Stopped from Entering Gurdwara, *Daily Times* [Lahore], 20 August 2007, http://www.dailytimes.com.pk/default.asp?page=2007/08/20/story_20-8-2007_pg13_1 [accessed May 2009]

Sikhs, particularly in Orakzai Agency, near Peshawar, have been classed as *dhimmi* (protected people) by the Taliban and pro-Taliban militants in the region and thus subject to the *jizya* tax. In April 2009 several Sikh families in that area left the region after the Taliban demanded 50 million rupees as *jizya*, the traditional tax paid by subservient peoples under Muslim rule. It is reported that the families were impoverished and had left the area to avoid any Taliban action.¹²⁸ Such demands for *jizya* regularly occur against Sikhs in Orakzai. In another incident, the homes of ten Sikh families living in the nearby Qasimkhel area were occupied by local Muslim militants. Kalak Singh, the Sikh leader in that village, was taken hostage. After several days negotiation the militants left the homes and the hostage was released, though later some of the homes and shops were again occupied, as the Sikh families were unable to pay the amounts demanded.¹²⁹

4.6 The Baha'i Community

The Bahá'í faith is a monotheistic religion founded by Baha'u'llah (1817-1892) in nineteenth-century Persia, emphasizing the spiritual unity of all humankind. Although the World Christian Encyclopedia estimated over 78,000 Bahá'í living in Pakistan in 2000,¹³⁰ official Bahá'í literature claimed a figure of about 30,000, with five to six million members worldwide.¹³¹

The Baha'i faith has existed in India since the 1840s. Following partition in 1947, the Baha'i had groups in Peshawar, Karachi and Rawalpindi. Due to missionary endeavours Baha'i assemblies were formed in Sialkot (1949), Faisalabad (1952), Sargodha (1955), Nawabshah and Sahiwal (1956), and in Mirpurkhas and Abbottabad (1956).¹³² In 1979, with the Soviet invasion of Afghanistan, many Afghani Bahá'ís fled to Pakistan. Many Iranian Bahá'ís also fled to Pakistan in the same year due to the Iranian revolution. Most of these refugees were able to return to Afghanistan and Iran by 2002.¹³³ Today, as well as the cities referred to above, a significant number of Baha'i live throughout Pakistan, particularly in Karachi and Lahore.

The Baha'i are harassed by mainstream Muslims mainly because of their teaching. While mainstream Muslims believe in *khataman nabiyeen*, that Muhammad is the last and the greatest of the prophets, Baha'i believe their founder is the most recent in the line of Messengers of God that stretches back beyond recorded time and that includes Abraham, Moses, Buddha, Krishna, Zoroaster, Christ and Muhammad. Bahá'í teachings emphasize the underlying unity of the major world religions. Religious history is seen to have unfolded through a series of divine messengers, each of whom established a religion that was suited to

¹²⁸ Khan, A. S., Sikh Families Leave Orakzai after Taliban Demand Jizia, *Daily Times* [Lahore], 15 April 2009, http://www.dailytimes.com.pk/default.asp?page=2009/04/15/story_15-4-2009_pg7_5 [accessed May 2009]

¹²⁹ Militants Occupy Sikhs' Houses, Shops in Orakzai Agency, *The News International* [Karachi], 29 April 2009, http://www.thenews.com.pk/top_story_detail.asp?Id=21810 [accessed May 2009]

¹³⁰ Barrett, D., *World Christian Encyclopedia*, 2000

¹³¹ Baha'i Faith in Pakistan, *Wikipedia*, http://en.wikipedia.org/wiki/Bah%C3%A1%27%C3%AD_Faith_in_Pakistan [accessed May 2009]; The Bahá'í World News Service, Media Information, *Statistics*, <http://news.bahai.org/media-information/statistics> [accessed May 2009]; Smith, P., *A Concise Encyclopedia of the Bahá'í Faith*, Oxford: Oneworld Publications, 2000

¹³² Baha'i Faith in Pakistan

¹³³ *Ibid.* See also Afghan Baha'is, *Bahá'í Faith in Afghanistan*, n.d., <http://www.afghanbahais.org/afghanbahais.htm> - ENg [accessed May 2009]

the needs of the time and the capacity of the people. In Bahá'í belief, much to the chagrin of Muslims generally, Bahá'u'lláh's life and teachings fulfill the end-time promises of previous scriptures.¹³⁴

The Pakistani government adopts an ambivalent stance towards the Baha'i faith. Although the Baha'i are not directly persecuted, the sect is marginalized. In Pakistan the Baha'i have the right to hold their public meetings, establish academic centres, teach their faith, and elect their administrative councils.¹³⁵ In 1985 a separate mention of the Baha'i faith was made in the constitution of Pakistan and it was therefore recognized as a separate independent, non-Muslim, religious minority within the constitution.¹³⁶ In 2007 President Musharraf made a public message of well wishes and greeting to the Baha'i community of Pakistan in recognition of their celebrating the Eid-i-Rizwan.¹³⁷ However, despite such freedoms, the Pakistani government prohibits Bahá'ís from travelling to Israel for Baha'i pilgrimage.¹³⁸ As in neighbouring Iran the Baha'i movement has been accused of espionage on behalf of Mossad and the Israeli government. This assertion results from the fact that Baha'i World Centre (the Universal House of Justice) is in the Israeli city of Haifa.

4.7 The Buddhist Community

Buddhism has approximately 20,000 followers in Pakistan.¹³⁹ The Buddhist faith, particularly Mahayana Buddhism, has been present in Pakistan for over 2,000 years. Considerable numbers of Buddhists were originally found in Sindh province and the Punjab. Today the few Buddhists remaining live in the mountainous areas of Gandhara and the Swat region in the NWFP and in Ladakh, Kashmir. Buddhism has left numerous relics and buildings of international significance. In many areas, as with the Buddhist archaeological site at Taxila, 45 miles from Islamabad, the Pakistani government, realizing the enormous potential for tourism, officially protects such Buddhist sites.¹⁴⁰

However, like other minority groups, Buddhists are in danger of real persecution in areas now controlled by militant Muslim groups. For example, in 2008 Swat was taken over by Taliban groups. Islamist militant leader Maulana Fazlullah and his group Tehreek-e-Nafaz-e-Shariat-e-Mohammadi, imposing strict *shari'a* law, has banned education for girls and bombed or torched more than 170 schools, along with other government-owned buildings. The Pakistani government's recent peace agreement with this group granted it complete control of the area, which – for a time at least – meant, amongst other things, the imposition of an extreme form of Islam which aims at the eradication of cultures and faiths deemed to be “un-Islamic” and *jahili* (“ignorant” – things appertaining to religion in the pre-Islamic era).¹⁴¹

¹³⁴ See *The Baha'i Faith*, <http://info.bahai.org/> [accessed May 2009]

¹³⁵ Baha'i Faith in Pakistan

¹³⁶ Pakistan, Constitution (Third Amendment) Order, 1985, http://www.pakistani.org/pakistan/constitution/orders/po24_1985.html [accessed May 2009]

¹³⁷ Littrell, V., Iran and Baha'i: Recent Development, *World Association of International Studies*, 19 May 2008, <http://cgi.stanford.edu/group/wais/cgi-bin/?p=15619> [accessed May 2009]

¹³⁸ See, e.g., United States, Department of State, *International Religious Freedom Report 2006: Pakistan*

¹³⁹ United States, Department of State, *International Religious Freedom Report 2004: Pakistan*

¹⁴⁰ Perera, J., Pakistan's Buddhist Gandhara Heritage, *Asian Tribune*, 18 June 2008, <http://www.asiantribune.com/?q=node/11832> [accessed May 2009]

¹⁴¹ Now Taleban Erasing the Buddhist Past of Pakistan, *Sunday Times* [Colombo], 8 February 2009, <http://sundaytimes.lk/090208/International/sundaytimesinternational-01.html> [accessed May 2009]; Pakistan

There are more than 400 Buddhist sites, including stupas (round, usually domed, buildings built near shrines) and monasteries, covering an area of 100 miles in the Swat region. Among the important Buddhist excavations in Swat is Butkarha-I, containing what is believed to be the original relics of the Buddha. Of great significance also is the Buddhist Museum containing numerous ancient Buddhist relics including the alleged footprints of the Buddha. With the Taliban threatening to wipe out such symbols of pre-Islamic cultures in Swat, the museum has become a prime target of the militants.¹⁴² There are real fears that with the Talibanization of the Swat region such militant groups may resort to the cultural vandalism as seen in the destruction of the Buddha statues at Bamiyan by the Taliban in Afghanistan in 2001.¹⁴³ In November 2007, the militants blew up a historic Buddha statue in the Jihanabad area of Swat causing irreparable damage to the seven-metre tall historic statue. Vishaka Desai, director of the US-based Asia Society, recently warning that other Buddhist cultural legacies in Pakistan could also be destroyed, stated: “There are vast numbers of important Buddhist sites in Swat and other areas of northwest Pakistan. At this point, all of them are under threat of destruction, due to the influential voice of the Islamist leader Mullah Fazlullah.”¹⁴⁴

4.8 The Zoroastrian Community

Small Zoroastrian communities may be found all over the world, with a continuing concentration in Western India (about 50,000 in Mumbai), Central Iran and Southern Pakistan. In 2004 the number of Zoroastrians worldwide was estimated at between 124,000 and 190,000. In Pakistan the group numbers about 5,000, mostly living in Karachi, though they have been reinforced in recent years with a number of Zoroastrian refugees from Iran.¹⁴⁵ Zoroastrianism (Parsi or Mazdaism) dates from about the early first millennium BCE. It is the religion based on the teachings of Zoroaster, or Zarathustra, an ancient Iranian poet and philosopher.¹⁴⁶ It involves the worship of Ahura Mazda, regarded by Zoroaster as the supreme divine authority. A distinction is drawn between Ahura’s creation, evident as *asha*, truth and order, and chaos, evident as *druj*, falsehood and disorder. A perpetual conflict is taking place between the two. Active participation in life through good thoughts, good words and good deeds is necessary to ensure happiness and to keep the chaos at bay. Ultimately Ahura Mazda will triumph over the evil counterpart Ahriman, at which point the universe will undergo a cosmic renovation, time will end, and the dead will be raised to live in a perfect world of immortality.

Zoroastrians hold fire and earth to be sacred elements, not to be polluted by corpses. Consequently, burial and cremation are unacceptable to them and their dead are consigned to

Agrees Sharia Law Deal, *BBC News*, 16 February 2009, http://news.bbc.co.uk/2/hi/south_asia/7891955.stm [accessed May 2009]

¹⁴² Now Taleban Erasing the Buddhist Past of Pakistan

¹⁴³ Lahiri, N., From Where I Sit, Swat Heritage Is Hanging by a Thread, *Times Higher Education*, 26 March 2009, <http://www.timeshighereducation.co.uk/story.asp?storycode=405911> [accessed May 2009]

¹⁴⁴ Mussarbash, Y., Islamists Destroy Buddhist Statue, *Spiegel*, 11 August 2007, <http://www.spiegel.de/international/world/0,1518,druck-515958,00.html> [accessed May 2009]

¹⁴⁵ For general background and statistics, see, Hinnells, J.R., *The Zoroastrian Diaspora: Religion and Migration*, Oxford: Oxford University Press, 2005

¹⁴⁶ Nigosian, S.A., *The Zoroastrian Faith: Tradition and Modern Research*, Montreal: McGill-Queen’s Press, 1993

vultures by placing them on mountain tops or on specially built Towers of Silence. Generally speaking Zoroastrians do not proselytize and living Zoroastrianism has no missionaries. Other Zoroastrian communities however either cremate their dead, or bury them in graves that are cased with lime mortar.¹⁴⁷

Zoroastrians are a small and low-key faith in Pakistan with their principal home in the city of Karachi. The fact that Iranian Zoroastrians have fled to Pakistan suggests that Zoroastrians are not as persecuted – as “people of the book” – in Pakistan as they have been in Iran, or at least that the state and people of Pakistan do not persecute them so actively.

4.9 The Mehdi Foundation

The Mehdi Foundation International (MFI) is the name given to a little known, enigmatic movement, arising in Pakistan in 2002.¹⁴⁸ Its international headquarters are in London, while other centres can be found in the USA and elsewhere. The size of the movement is impossible to gauge. MFI keeps no official membership records. Despite the fact that the official websites talk of “countless millions of followers” there are most probably only at most a few tens of thousands adherents world-wide.¹⁴⁹

The MFI began as a splinter group from the Anjuman Serfaroshan-e-Islam (ASI), a twentieth century Islamic inter-faith group, which proclaimed His Holiness Ra Gohar Shahi as a reformer of religion. The MFI, similarly professing to be a non-political, inter-faith institute, claims to preach the Goharian Philosophy of Divine Love which is believed to be the essence of all religions. According to the Goharian Philosophy; divine love can be obtained through practice of spiritual sciences: reviving, awakening and enlightening the dormant souls.¹⁵⁰ The MFI also acknowledge Ra Gohar Shahi as its leader but, unlike the ASI, regard him as the awaited *imam mehdi*. The case for this proclamation in part rests on supposed photographic evidence that purports to show Gohar Shahi’s face on the moon, and in other variants on the sun. Adherents often proffer the book of the faith, the cover of which reads: “The Secret Lying Behind the Images on the Sun and Moon. The images are found on photographs taken by NASA and other reputed organizations - The Religion of God - Divine Love - The hidden secrets of God - Author His Holiness R. A. Goharshahi”. The first edition of this book was published in January 2000 in the United States, apparently with the joint cooperation of RAGS [R A Gohar Shahi] International, London, the American Sufi Institute, and the All-Faith Spiritual Movement, Northern Ireland.¹⁵¹

¹⁴⁷ Boyce, M., *Zoroastrians: Their Religious Beliefs and Practices*, London: Routledge, 1979

¹⁴⁸ There is a dearth of information on the Mehdi Foundation International, but a useful summary, including references to the organization’s own material, can be found in Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), *Structure and Objective of the Mehdi Foundation and the Perception of this Movement/Sect in Pakistan*, 5 December 2008, http://www.ecoi.net/file_upload/response_en_115187.html [accessed May 2009]

¹⁴⁹ See *Persecution against MFI: An Insight into the Atrocities against Mehdi Foundation International and Its Members*, n.d., <http://www.goharshahi.biz/persecution> [accessed May 2009]. Attempts by the present authors to contact the London headquarters by email, especially Steve Bell the President of MFI UK and Younas Al Gohar, the Chief Executive, to enquire on matters such as membership etc., have been unsuccessful.

¹⁵⁰ See, Al Gohar, Y., *Introduction to MFI*, n.d., <http://www.goharshahi.com/english/index.htm> [accessed May 2009]

¹⁵¹ Cowasjee, A., The Man in the Moon, *Dawn*, 10 February 2002, <http://www.dawn.com/weekly/cowas/20020210.htm> [accessed May 2009]

Other strands of MFI teaching are highly offensive to mainstream Muslims. For example the MFI declares Jesus to be superior to Muhammad and the name of Muhammad is replaced in the *shahada* (the Muslim declaration of the oneness of God and the acceptance of Mohammed as his final prophet) by that of Gohar Shahi.

Some see the MFI as a “pseudo messianic movement”, an eclectic sponge claiming to draw together the teachings of all the world’s religions.¹⁵² Others see it as immoral, allegedly practising “free-love”. Adherents of MFI have sometimes adopted violence to propagate its message, though the organization asserts that such acts of violence were not sanctioned by the MFI leadership. For instance in December 2005 Shahbaz Khan, a leading member, claimed to be the *imam mehdi*. With 50 armed supporters Khan took hostage a public bus in Faisalabad and demanded that the Pakistani government recognize him, and that General Musharraf agree to a meeting.¹⁵³ This incident ended in a shoot-out with police. In April 2007 55 members held a public protest in a park in Delhi against the Pakistani government during which they were arrested for burning their passports and a national flag.¹⁵⁴

Although little mention is made of the MFI in the literature of NGOs working for human rights in Pakistan, MFI claims the movement is subject to continual pestering, harassment and persecution by the Pakistan government. In 2005 the MFI staged anti-terrorist rallies in numerous parts of Pakistan, extending moral support to President General Pervez Musharraf. As a response to this the government initiated a fierce clean-up operation against MFI. Younus Al Gohar, Chief Executive of MFI, claims that 50 members of the foundation were arrested, some of whom have not been seen since. As with other minority groups the MFI claims that extremists exploit the blasphemy laws in order to settle personal scores. Cases of blasphemy were brought against hundreds of MFI members in Pakistan, including the MFI President Hafiz Mohammad Farid Hafiz, M. Nadeem, Amjad Hussain and Hafiz Nadeem Siddiqui, who had to seek asylum in the United Kingdom. Many other members, who allegedly are on the “hit-list” of Pakistani government agencies, have gone into hiding due to fear of arrest. A ban has been imposed by the government of Pakistan on their books, newspaper and other literature. MFI Spiritual Centres have been forced to close down.¹⁵⁵

4.10 The Jewish Community

Although many sources indicate that there are no Jews left in Pakistan, very small numbers can reportedly still be found, almost certainly all of them in Karachi.¹⁵⁶ Various estimates suggest that there were about 2,500 Jews, mainly Bene Israel and Baghdadi Jews, living in

¹⁵² See Sikand, Y., *Pseudo-Messianic Movements in Contemporary Muslim South Asia*, Delhi: Global Media Publications, 2008. The third of three chapters is devoted to the MFI.

¹⁵³ Here’s the First Imam Mehdi for Our Eschatologists, *Daily Times* [Lahore], 17 December 2005, http://www.dailytimes.com.pk/default.asp?page=2005%5C12%5C17%5Cstory_17-12-2005_pg3_1 [accessed May 2009]; Gohar Shahi Group Funding ‘Imam Mehdi Network’, *Daily Times* [Lahore], 28 December 2005, http://www.dailytimes.com.pk/default.asp?page=2005%5C12%5C28%5Cstory_28-12-2005_pg7_7 [accessed May 2009]

¹⁵⁴ Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)

¹⁵⁵ See material on the website of the “official newspaper”, *AlR News*, <http://www.alr-news.com/index.html> [accessed May 2009]

¹⁵⁶ See contributions under the heading Jews in Pakistan, *Point of No Return: Information and Links about the Middle East’s Forgotten Jewish Refugees*, <http://jewishrefugees.blogspot.com/search/label/Jews%20of%20Pakistan> [accessed May 2009]

Karachi at the beginning of the twentieth century, with smaller communities in Lahore¹⁵⁷ and Peshawar, and an unknown number living in various other urban centres.¹⁵⁸ There were synagogues in all three cities and reportedly the one in Peshawar survives, though it is abandoned. In Karachi, a small but vibrant community of Jews existed around the Magain Shalome Synagogue, which was demolished in the 1980s. Some Jews migrated to India at the time of independence in 1947 but reportedly some 2,000 remained, most of them Bene Israel Jews observing Sephardic Jewish rites. The first real exodus from Pakistan came soon after the creation of Israel in 1948, which triggered multiple incidents of violence against Jews in Pakistan. One example of such violence was the torching of the synagogue in Karachi.

The presidencies of General Ayub Khan (1958-1969) and General Zia ul-Haq (1977-1988) saw the near disappearance of Pakistani Jewry. A small number of Bukharian Jews were to be found in Peshawar in the NWFP but ceased to exist there some time in the 1960s.¹⁵⁹ By the late 1980s the vast majority of remaining Jews had left the country, many to Israel, but some to the United States or the United Kingdom. By 1990 the Jewish population in Pakistan had decreased to only about 250 people.

As elsewhere in the contemporary Islamic world the situation of Jews has been very difficult throughout Pakistan's history. Due to Qur'anic teaching, which curses Jews for their alleged blasphemy and arrogance, and because of the *hadith* in which Muhammad describes the Jews as worse than monkeys,¹⁶⁰ the Jews have always been a persecuted minority in Pakistan.

Anti-Semitism spikes in Pakistan when Israel is a key player in international news such as in the Arab-Israeli wars of 1967 and 1973, and, more recently, with actions by the Israeli government against the Palestinians in Gaza. Wahabi sponsored publications give rise to much anti-semitism by teaching that Jews, by controlling the world media, organize a world-wide campaign to undermine Islam.

5 Refugee and Asylum Issues

In the writing of this report the authors encountered three distinct types of population movements of religious minorities in Pakistan. The first comprised of small numbers of religious minorities fleeing violence or persecution in neighbouring states into Pakistan, most importantly Baha'i and Zoroastrians fleeing Iran and Sikhs fleeing Afghanistan. It is also thought to be the case that a few Muslims leave India for Pakistan though the authors were not able to evidence this. The second group are religious minorities displaced internally, particularly from the tribal areas of Pakistan's FATA, NWFP and northern Balochistan, either by violence (in which case they flee as part of a much larger general migration of the local population) or as a result of systematic intimidation and threat by Muslim extremist groups such as the Pakistan Taliban. The third group are religious minorities who flee Pakistan permanently, usually for Europe or the United States in the case of groups like the Ahmadi, Baha'i, Christians, Sikhs and Hindus, or to India in the case of Hindus. The authors could however find no useful data on the numbers of any of these categories of religious minority

¹⁵⁷ Najam, A., Where Have Pakistan's Jews Gone, *Daily Times* [Lahore], 16 September 2005, http://www.dailytimes.com.pk/default.asp?page=story_16-9-2005_pg3_3 [accessed May 2009]

¹⁵⁸ Pakistan, in C. Roth (ed.), *Encyclopedia Judaica*, Philadelphia: Coronet Books, 1994, vol. 10

¹⁵⁹ Belton, P., Karachi's Forgotten Jews, *The Jewish Chronicle*, 17 August 2007

¹⁶⁰ See Surah 5:64; 5:82, 2:80, *Holy Quran*, and Hadith, *Al-Bhukri*

movement, which do not appear to be reliably monitored either by the Pakistani state or by the faith groups themselves.

The authors could find no evidence either of members of religious minorities, beyond the small number displaced from neighbouring states, coming to Pakistan and none actively seeking formal refugee or asylum status in Pakistan with a view to permanent settlement. Of the 1,000 or so presently seeking asylum in Pakistan all are Muslims from countries such as Iran, Iraq, and Somalia . This is arguably unsurprising given the issues set out in this report and the presence of Pakistan near the top of international lists of states with the most egregious record of the official and informal violation of the rights and freedoms of religious minorities.

That said Pakistan does have a creditable record of providing refuge to displaced people from Afghanistan and in particular has had a near-permanent infrastructure of refugee camps for Afghans along the Afghan-Pakistan border areas since the Afghan-Soviet war (1979-1989) where up to 3.5 million Afghan Muslims were housed at the peak. UN supervised repatriation of these refugees began in 2002, and is intended to be complete by 2012. At present there are thought to be 2.1 million remaining in Pakistan,¹⁶¹ although that number appears to be rising again following the resurgence of the Taliban in Afghanistan and escalating conflict with NATO and US forces.¹⁶²

In discussions with faith groups themselves the authors found that most of those members of religious minority groups who were in transit into or within Pakistan typically try to reach same-faith groups in other parts of Pakistan, or more commonly (if a possibility) were trying to reach family members living in other parts of the country. Of those fleeing Pakistan for other countries, some were going to families, but others – the majority – were simply seeking asylum in countries with more tolerant religious positions. In May 1984, due to death threats and actual attempts on his life, Mirza Tahir Ahmad, the fourth Ahmadi Khalifa, left Rabwah and became a refugee in London.

Viewed from the perspective of receiving states, i.e. those receiving religious minority refugees from Pakistan, particularly those in the West, Pakistan is widely acknowledged and treated as a state where religious minorities are subject to persecution and repression, often serious. Thus, for example, the attitude of the UK government towards members of the Ahmadiyya Jama'at seeking asylum has to-date been ambiguous. An AIT (Asylum and Immigration Tribunal) case in 2005 concluded that for the “unexceptional Ahmadi” there is “no real risk of persecutory or Article 3 infringing treatment on return to Pakistan (whether Rabwah or elsewhere) merely by the reason of being Ahmadi”.¹⁶³ However, a number of applications by Ahmadi for asylum in the UK have been approved by the Home Office on the

¹⁶¹ See Refugees International, *Pakistan*, [2009], <http://www.refugeesinternational.org/where-we-work/asia/pakistan> [accessed May 2009]

¹⁶² See United Nations High Commissioner for Refugees in Pakistan, *About UNHCR Pakistan*, n.d., <http://www.un.org.pk/unhcr/about.htm> [accessed May 2009]

¹⁶³ The “unexceptional Ahmadi” was defined as an Ahmadi who has no record of active preaching, has no particular profile in the Ahmadi faith, has no history of persecution or other ill-treatment in Pakistan related to his Ahmadi faith, and has no other particular feature to give any potential added to the risk to him (e.g. by being a convert to the Ahmadi faith). See United Kingdom, Border Agency, *Operational Guide Note: Pakistan*, 4 February 2009, <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/countryspecificasylumpolicyogngs/pakistanogn?view=Binary> [accessed May 2009]

grounds that such Ahmadi have “a well founded fear of persecution for reasons of race, religion, nationality or membership of a particular social group or political opinion”, and that a return to Pakistan would be dangerous.¹⁶⁴

6 Conclusions and Outlook

It is clear from the foregoing that most members of religious minorities in Pakistan experience life as *dhimmi* – or worse – in all but name, are *de facto* second-class citizens subject to violence, repression and intimidation, and are almost powerless to do anything about their circumstances. Those singled out for the worst persecution and those who find themselves least protected by the Pakistani state fall either into groups who are seen as proxies for external states – such as Christians and Hindus – or groups, such as the Ahmadi and Medhi Foundation, which are seen as deviant forms of Islam. Pakistan’s Jews, all but wiped out over the past 40 years, have suffered intensely not only because of their perceived connection with Israel, but also from the deeply inculcated anti-semitism which is found in the Koran and in Islamic teaching more broadly.

There remains however profoundly important economic, caste, and class element in the persecution of religious minorities in Pakistan. Groups like the Baha’i, Buddhists, Sikhs, and Zoroastrians (Parsis) whose members tend to be relatively affluent and well educated, and which exist in relatively small numbers largely confined to urban areas, find themselves left alone provided they do not assert themselves too strongly or appear to challenge the Muslim majority, locally or nationally. Some groups, like Sikhs, find themselves also granted latitude on the basis that they are seen as “anti-Hindu”. These more affluent and educated groups remain however vulnerable to periodic majoritarian backlashes, simply for being manifestations of “the other”, and none enjoy full human rights and freedoms under the Pakistani constitution.

Similarly the more affluent and well-educated members of even severely persecuted communities – such as Christians – find that their wealth and status affords them much protection from the problems suffered by their co-religionists, a reality which poses a stark dilemma both for better-off individuals and for faith-group leaderships. Prominent Christians, for example, provide important evidence for the Pakistani state of religious pluralism and tolerance and thus are useful to the state and are ceded privileges accordingly. Were such individuals to begin to agitate too strongly and vocally on behalf of their co-religionists they would risk their personal positions and advantages. The same is largely true of the established churches in Pakistan which defend the rights of religious minorities up to a point but in the main do not seriously challenge the Pakistani state, preferring engagement, gradual progress, and the defence of what rights and opportunities presently exist for religious minorities. While understandable such perceived passivity is widely resented by those who suffer most within the respective faith groups and is often seen as collusion with the repressive state by faith-group elites.

Those who suffer the most egregious persecution and are the most acutely vulnerable to the vagaries of their Muslim neighbours and to the oppression or indifference of local law enforcement and judiciary, are the vast majority of religious minority groups, the rural and

¹⁶⁴ *Ibid.* Valentine, *Islam & the Ahmadiyya Jama’at*, discusses the recent case of “Rashid”, an ordinary Ahmadi, who gained asylum in the UK, on appeal, on the grounds that he and his family faced considerable danger if they returned to Pakistan, see pp. 235-6

urban poor. Their situation is determined not only by the compound miseries of poverty and social and political marginalization in Pakistan, but also by issues of caste, a hang-over from the pre-partition era, and by the specificities of their *dhimmi* minority religious status. These groups, particularly poorer Christians, Hindus, Ahmadis, and Jews, suffer terribly and with little or no means of redress, and their fate – rather than that of their wealthier coreligionists – is the true measure of Pakistan’s claims of religious pluralism and tolerance.

The rolling out of laws and constitutional amendments since the late 1970s which have moved Pakistan away from its founding secular pluralist vision, and which have gradually crushed religious minorities in Pakistan, are witness to the Islamization of the nation. Equally the failure of intended reforms during the Musharraf era, despite some modest progress, and the continued slow progress of change under Zardari-Gilani is evidence of the lack of resources and political attention given to the issues of religious minorities in Pakistan, of the strength of Islamist groups in the country, and of the growing Islamic conservatism of Pakistanis.

The religious minorities themselves are of one mind on the way ahead. The most urgent of their long-standing demands of Pakistan’s government include:

- repeal or appropriate amendment of the blasphemy laws, the laws of evidence, and the *hudood* ordinances;
- proper and proportionate political representation for minorities in all national and provincial assemblies;
- a commitment by the state to defend the rights, interests and property of minorities and to punish and deter those who violate those rights, interests and properties, including members of the police and security services;
- restitution for those who have suffered under repressive legislation and have been the victims of threat, coercion and violence;
- a revision of schools curricula towards a more pluralist and fairer inclusion and representation of religious minorities and their beliefs and practices;
- a change to the passport law so that it no longer discriminates against the Ahmadi by requiring them to sign a declaration that their spiritual leader is an impostor.

Notwithstanding Shahbaz Bhatti’s efforts in early 2009 to introduce legislation to annul the blasphemy laws the prospects of any of meaningful changes being made in relation to the demands of religious minorities are minimal in the foreseeable future, and the outlook for religious minorities in Pakistan more generally is bleak. Pakistan itself is teetering on the brink of collapse, riven by terrorist violence, weak political institutions, federal instability, economic crisis, food and fuel shortages, and public dissatisfaction and unrest. Within this context the situation of religious minorities is widely seen in Pakistan, understandably perhaps, as a minor and secondary issue. Their plight is getting worse by the day and is likely to continue to do so for all the reasons we have discussed in this report.

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