

A Socio Political Status of Minorities in Pakistan

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Abstract

The groups of people based on religion, language or ethnicity living in a state but in lesser numbers are called minorities. The minority groups have been living in Pakistan amicably since independence and have been playing their active role in the development of society especially in education and health sectors. Despite being living in conducive environment as good and responsible citizens, the minority groups have been facing inequality, discrimination and victimization by both the state and society. These minorities have been marginalized in almost every segment of life including employment, education, and top of all-the religious freedom. The minorities, especially the Christians have some serious issues about their security and often mention that they have been targeted especially under Blasphemy Law in which they have been prosecuted in the name of religion. Most of these blasphemy cases have been found out to be the result of personal enmity and religious vendettas. The government needs to address these issues of minorities on emergency footings for an inclusive and moderate Pakistani society.

Keywords: Minorities, Pakistan, Blasphemy Law, Religious freedom

Introduction

A group of people based on its ethnicity, religion or language, lesser in number as compared to rest of the country's population with same identity, is called a Minority. These minority groups exist almost in all countries of the world and in most of the cases, they are marginalized. The reason behind this marginalization is their exclusion from the socio-economic and political mainstream. Further, these groups face different hurdles and issues in expressing their minority identity i.e. remaining unable to follow their religion openly or celebrate their cultural and religious festivals publically. Hence, most often they become the target of violence and conflict within a state on the basis of their different ethnic or religious affiliations.

In the current world, there are different reasons because of which they are facing discrimination in different countries. Minorities are usually categorized into religious, linguistic and ethnic categories including their gender, sexuality and their disabilities. Under International Law, religious minorities have the right that their culture, traditions, religion and their language be protected while living within a state. At the end of World War II, General Assembly of United Nations adopted the Universal Declaration of Human Rights in 1948 for the protection of the rights of all the people of the world without any discrimination.

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The term of Minority has been defined differently by different scholars and organizations. A renowned thinker and writer has defined minority that a group of people having a sense of separate identity and they are aware of status apart from a larger group of which it forms. (Panday, 1997). In most of the states, the minorities are not given their due share hence they remain backward. These groups strive and struggle for their rights and crawl on their bellies for their protection in a country, as Montague put in his words. Lord Curzon termed it "for artificial ropes and pulleys to haul them up." (Krishna, 1939). Further, Sen has defined the term minority saying: "A group of persons differentiating themselves in race, language or religion from the majority of the population in a certain country" (Sen, 1940)

According to Encyclopedia Britannica (1967), the minorities are:

"Minorities are groups held together by ties of common descent, language or religious faith and feeling themselves different in these respects from the majority of the inhabitants by a given political entity".

According to Encyclopedia International (1982),

"Minority is singled out from others in the society in which they live for unequal treatment, and they regard themselves as the subjects of discrimination, persecution and exploitation".

According to the researcher's point of view: Minorities are the groups living in a society having lower social status, possessing less power and enjoying fewer rights. They are often excluded from mainstream and are considered as second class citizens."

Kinds of Minorities:

The scholars have divided the minorities in three categories. First is 'Racial Minority' which can also be called as "national minority" this is basically the combination of several races and it is quite impossible to trace or conceive their geographical frontiers. Second category is the "Religious Minority" means the division of a national minority into many religions followed by the society. The third and last one is "Linguistic Minority" which is also inconceivable to consider of a linguistic minority which may also not categorized as a national minority (Krishna, 1939).

Concept of Minority in Islam

Being a universal religion, Islam has emphasized on the equality of rights for all the human beings including minorities. Under the teachings of Islam, there is no distinction of color, race, language or caste. The religion has abolished the discrimination among different communities of the society at every level. It has brought each and every human on one platform and gives everyone complete freedom to practice and follow their respective religion. The holy book, Quran, is full of verses indicating and preaching about the equality and freedom of religion of all in the world.

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The Quran Says:

“There is no compulsion in religion.” (Quran, 2: 256).

Furthermore, The Holy Prophet (PBUH) has also preached the equality as he said: “Whoever oppresses a non-Muslim subject or taxeth him beyond his capacity, and then I shall be the opposite party to him in the litigation on Doomsday.” (Hamidullah, 1987).

Approaches to Analyze Religious Freedom

Religious minorities’ rights and their freedom have always remained a relevant topic in social sciences because of the constant increase of impact of religion on socio-political issues and conflicts in the world. Over the years, several studies have tried to explain the origin of religious freedom based on theoretical school of thoughts and approaches. Few of these approaches are civilization approach, modernization theory and rational choice theory.

Civilization Approach

The civilization approach describes the religious freedom based on the different aspects and characteristics of a civilization. The scholars like Bernard Lewis and Samuel Huntington studied the concept in detail and are considered major scholars of this school of thought. According to theorists of civilization approach, the religion's role is more important than structure and agency. It further mentions that separation of religion from state is an essential condition for religious freedom in which is also one of the basic characteristics of Western civilization. The scholar Lewis states that Secularism is an integral part of Christian Civilization and such concept does not exist in Islam.

In Pakistan, although religion is much important in both private and public life yet there is a strong part of the society which raises its voice in favor of separation of state and religion. Mann (2009) writes that this theory remains unable to highlight the increase and decrease of freedom in religion with passage of time in Western especially in Christian societies which is another problem. He gives the example of England, where although the ratio of religious freedom is rather high for all religious groups in current times but in same country people with Catholic faith were imprisoned, persecuted and murdered because of their faith from 16th to 19th century.

Modernization Theory

This theory has two basic stages i.e. Ideational and Structural approaches. The structural approach focuses on relation between politics, society and religion and believes that it can be described through modernization of societies. According to Modernization Theory, religious freedom is the natural result of process of modernization (Andern 2003; Noris. Inglehart, 2004; Gill 2008; Casanova, 1994). The ideational approach to religious freedom in the modernization theory explains the

origin of religious freedom through the impact of the enlightening ideas over modern societies. A large number of equal modern and highly developed societies have different religion-state relationship about the religious freedom.

Rational Choice Theory

According to the presenters of this theory, people usually act rationally based on cost/benefit calculation. In the same way, religious behavior is also part of cost/benefit calculation. Another basic assumption of this theory is that people tend to acquire winnings while neglect the costs, but the awards are most often is limited in giving. At the point when the individuals face with option of a choice, keeping inside limited understanding and information and limited by the options given at that time, led by personal tastes and preferences, human beings attempt to make rational choices (Stark and Fink 2008). But on the other hand, market of religion is also exclusive in nature, while customers here are remain unable to get a choice at the given time.

Assertive Secularism Vs Passive Secularism

According to Talal Asad (2003) secularism is concept of separation of state and religion and essentially assures a freedom for everyone in the religion for all communities in the society especially for the minorities. While, in comparison, even if concept of secularism as the parting of state and religion is a vital step towards the protection of religious freedom including non-believers for example United States governments give permission to students to carry the symbols of their religion openly in their institutions of education while Turkey and France does not allow this. Kuru has divided this ideological approach on the basis of religion i.e. "Passive Secularism" and "Assertive Secularism". On one hand, the idea of secularism assertion focuses to separate the idea of religion from public influence and considers it as a matter of private life of every individual; on the other hand, passive secularism has no opinion towards religion and allows the believers to perform their religious customs in the public domain. In this context, Kuru writes that freedom in religion is totally bases on these above mentioned secularism types.

Further, freedom in religion is not only the issue related to politics; it also has cultural and social limitations on religious freedom. The major example is, if the United States is a country with passive secularism with very high rate of liberty in religion and symbols of any religion are permitted at educational institutions, there are few women with Muslim faith who cannot carry headscarf or Abaya due to social pressure and danger of being harassed, although they have right to wear these Islamic clothing, if they were given a choice (Khalid 2013).

South Asia and Minorities

Minorities in South Asia, especially in Pakistan and India are not much satisfied with their condition, government policies and the public attitude towards them. In India, the rights of minorities have been described under the Gandhi-Nehru ideology of the "one

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nation" theory and recognized the existence of several linguistic, cultural groups and minorities in the country. The Constitution of India guarantees equal rights for all of its citizens, irrespective of color, religion or caste. The chapter on Fundamental rights in Indian Constitution states: "the State shall not discriminate against any citizen on ground on the basis of religion, race, caste, sex, and place of birth or any of them."

Despite the assurance in the Constitution, the plight of minorities in India are unsatisfactory as almost all the Minority groups especially the Muslims have to face discriminatory attitude in all the fields of life. The minorities do not enjoy "fair share" in the higher administrative posts in India. The whole world including international rights organizations believe that minorities in India are being prosecuted and they are not being given basic necessities and rights. The largest democracy is totally failing in providing the rights and implementation of its policies across the country (Shakir, 1980).

Constitution of Pakistan and Minorities

The founder of Pakistan, Muhammad Ali Jinnah wished a true democratic and tolerant country and he expressed his belief when he appointed Sir Zafarullah Chaudhary-an Ahmedi-as first Foreign Secretary of Pakistan. (Zaigham,2009). After the independence, the first constituent Assembly of Pakistan discussed the issue of separate electorate for minorities in Pakistan. The Hindu Members of Assembly from East Pakistan were highly in favour of joint electorate system while the minorities from West Pakistan were in favour of separate electorate. Some religious parties were reluctant to accept minorities as equal citizens in Pakistan. Quaid-e-Azam, on the other hand, had a very clear view about the minorities and their equal rights without any discrimination by the state. Addressing to the first Constituent Assembly, he said:

"You may belong to any religion or caste or creed – that has nothing to do with the business of the state".

Stressing on the religious freedom for all communities especially for minorities in Pakistan he stated: "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 this state of Pakistan." (*Quaid-i-Azam : Speeches...,n.d.*)

Meanwhile, the first Constituent Assembly failed to reach any agreement on the issue of separate or joint electoral system for newly formed state. Almost all the major political parties from East Pakistan supported joint electorate while religious parties were in favour of separate electorate system. After the promulgation of 1956 Constitution, a rather strange resolution was passed by the Assembly, West Pakistan for separate electorates and East Pakistan for joint electorates. (Rais,2009)

Constitution of 1973

On August 14, 1973 the first complete constitution of Pakistan was passed comprising 280 Articles and 6 schedules. Under the Article 9, 14, 15, 16, 17, 19, and 20: the constitution proclaims fundamental rights to all the citizens of Pakistan without any discrimination.

While under the Articles 11, 25, 26, and 27: “The Constitution also proclaims the equality of all citizens before the law, irrespective of race, religion, caste and sex.” (Gankovsky, Moskalenko, 1978)

According to Article 260 (3)(b) of 1973 Constitution, the recognized minorities of Pakistan are Hindus, Sikhs, Buddhists, Ahmedis, Bahai’s and Hindus consist of 4% of the total population of Pakistan (1998 Census). In 2004, Federal Government established the Ministry of Minorities while in 2011; the said ministry was handed over to the provincial governments under the 18th amendment of the constitution (Children of Minorities..., 2014).

Demographic Profile of Pakistani Minorities

As per population census of 1998, the total population of Pakistan was 137 million. The Muslims were about 96%, while religious minorities were 4% of the total population. It is further divided in 1.69% Christians but the number was debatable as Catholic Church of Pakistan has the record of birth contains higher than in the census, the figure by the Church normally quoted the Christian population in Pakistan as 2.5% to 3%. After the first 24 years of independence, the religious minorities in Pakistan constituted around 10% of the population but after the separation of East Pakistan, the non-Muslim population reduced to less than 4% of the whole population of the country. (Jivan& Jacob, 2012).

Issues Facing by Minorities in Pakistan

Despite the assurance of complete equal rights of minorities in Pakistan, they still face major issues in all walks of life. These minorities face tough issues to get a job, in educational institutions and face social constraints. Following are the major issues, minorities are facing in Pakistan.

Employment Issues

Under the law and Constitution of Pakistan, getting employment in both public and private sectors is the basic right of every citizen, if they meet the merit. Although the Christians hold equal rights to apply for any job but the minority group thinks that are not being entertained because of their religious beliefs. One of the Christian respondents told the researcher that: “I applied for a job meeting the requirements and passed the written test but during interview, I was rejected just because I belonged to religious minority.”

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According to Church World Survey (2012), non-Muslims in Pakistan face structural obstacles and socio-political issues while seeking job. Although the Government of Pakistan has increased the non-Muslim quota up to 5% in jobs for educated religious minorities, but on many occasions they are exploited mainly due to smaller number of seats (Sheikh, 2009). Religious minorities in Pakistan are mostly employed in the brick, glass, fishing, carpet industries and agriculture. (Singh, 2007).

Social Exclusion

The people belonging to religious minorities especially the Christians suffer social and economic exclusion, on the basis of “who you are”. They are often treated as second class citizens as majority of the people of these minorities are considered as untouchables. This marginalization of these minorities in superior services also exists in the country (Pakistan Institute of Labor, Education & Research, 2009).

The Christian population is usually engaged in sanitary field including collecting the garbage and waste from homes and around the towns. The Christian sweepers are considered to be 'Polluted' and usually are called "Chura" means impure which is a major stigmatization in itself (Beall, 2000). Further, there are provocative posters in the markets, streets and shops against the religious minorities across the country. (Malik, 2002).

Religious Discrimination

The minorities in Pakistan think that they have been severely discriminated and humiliated on base of their religious beliefs. As mentioned earlier, they are called 'Esai' and 'Chura' by the Muslim population which means polluted and impure and they are treated as lower class citizens. In his book Nazir S. Bhatti wrote: “The Christian leaders, the politicians and common are time and again attacked even killed by the religious extremist Muslims. Bishop John Joseph was killed because of his religious beliefs (Bhatti,2007).

Family and Personal Laws: Still a Dream

Theoretically, under the law and constitution of Pakistan all the citizens enjoy universal equal rights irrespective of their religion, language, gender or caste but practically specific personal and family laws for minorities in Pakistan are still a farfetched dream. Current, family laws about marriage and divorce for Christians in Pakistan are not compatible with the present circumstances. The basic purpose of developing personal laws is to create a smooth and hormonal environment for all the religious minorities to follow and exercise their religious rituals and cultural practices.

For the new law for the Christians in Pakistan, Catholic Commission of Justice and Peace (CCJP) has taken up the task to draft the family laws for the Christian community and to amend the current laws for minorities. In order to draft a law, CCJP has held focus group discussion to point out the thematic areas and finalize the articles of the laws. These focus groups comprise people from different fields of society

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including social activists, judges, lawyers, experts, scholars, community representatives and parliamentarians. The participants have emphasized on judicial process for the laws to be rapid, registration of the minority children, forced marriages, the age of marriage, religion to be taken as secular law. A committee of different religious scholars be formed and strong base for data collection of cases of minority rights violations should be maintained.

Furthermore, the discussion for separate electorate has also been once again discussed by the minority groups. While talking at Karachi Press Club, the representative of Minorities Alliance Pakistan, Javaid Shameem, said:

“We have been sidelined politically for a long time. We demand for a separate electorate for true representation in the Parliament”.

Views of the Minority Personalities

Former Provincial Minister for Human Rights and Minorities Affairs Khalil Tahir Sandhu has stated that minorities especially the Christians have played a vital role in the creation and for the rapid development of this country. He further said that it has become essential for the government to increase the number of seats of minorities in both the National Assembly and Provincial Assemblies.

In an interview with the researcher, Dr. Peter John, Professor of Chemistry at Government College University, Lahore said:

“I am completely satisfied with the friendly behavior of my Muslim colleagues in the institution and often share with them my problems and service related matters.”

Meanwhile, former Senator and Federal Minister for Statistics, Kamran Michael said:

“There are security threats to the Christian minority living in Pakistan generally but in Lahore particularly. Yohna Abad is a Christian populated area in Lahore comprising almost 0.2 million population including 172 churches but security lapses are there.”

In an exclusive interview, Dr. Kanwal Feroze, a famous writer, columnist and journalist said that Christians living in rural areas are still being marginalized and discriminated, although they are sons of soil but most of the Muslims consider them aliens. Tolerance is a non sense word rather the word acceptability is more appropriate to live in peace and harmony in society. The Christians have to face the problem of identity living with the majority Muslim neighbors."

In her interview with the researcher, Mary James Gill, Former Member of Provincial Assembly Punjab and famous advocate said that the Christians in Pakistan are mostly work as laborers and essentially do not have social status and they are not enjoying equal rights. They are provided low jobs like sweeping and sanitation related duties only because they are considered aliens. In (LWMC) Lahore Waste Management Company, there are total 8000 employees in which 6000 are Christians. There is structural discrimination in every department of Pakistan. In (WASA) Water and

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Sanitation Agency, there are almost 90% Christians working in very poor conditions. About 2500 Christians have been migrated to Thailand for security and better living standard. The Government of Pakistan must take some concrete steps for the maximum participation of the Christians in political process and decision making by enhancing their seats in the Assemblies.

Blasphemy Laws

Blasphemy Laws in Pakistan's Constitution has serious implications for minorities in the country as often these laws are being used to target the people of religious minorities. Current blasphemy laws were formulated by British Colonial Regime and were first implemented in 1860 by the British rulers in India. These British laws left their deep imprint on Pakistan especially when military ruler General Zia implemented with certain amendments them in 1980s under his policy of Islamization. As per report issued by Centre for Research and Security Studies almost 80 cases of blasphemy were reported during 1977 to 1988.

Under Zia' regime, the amendment was made in 1982 including Section 295-B suggesting life imprisonment for an individual who willfully defiles, damages or desecrates a copy of Holy Quran. (Sethna, 2014). Section 295-C was included in 1986 which imposed death penalty, or a life sentence on any individual who by words, either spoken or written defiles the sacred name of the Holy Prophet Muhammad (PBUH). (Khan, 2012).

These laws were used against minorities, especially against Christians, usually in context of personal enmity or religious vendettas. The notable cases against minorities under Section 295-B and 295-C are case of Rimsha Masih, The Kot Radha Kishan incident in 2014, Sawan Masih Case, Aasia Bibi case, Ayub Masih Case, Salamat Masih, Mazoor Masih, Rahmat Masih Case, and Ghulam Akba

Findings

- The minorities in Pakistan are overwhelmingly peaceful and tolerant and in favor of equal rights for minority groups. These groups support a ban on sectarian groups and hate inciting policies and sermons.
- The Christian community wants to repeal 'Hudood Laws" as the implementation of these laws have made minorities vulnerable.
- The minorities in Pakistan have very limited representations in the Parliament which is a serious concern for all the minority groups in the country.
- The minorities have been claiming that census conducted by the government does not show their actual number in the population which is negatively affecting their political representation and job quotas.
- Majority of the respondents were of the view that they had to face many political and economic problems such as land grabbing and racism.

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- Most of the Christian thinkers, writers and activists wish that the major political parties must issue tickets of the party to the minorities in general elections. Only in this way, the religious minorities have their true representatives in the parliament who would raise voice to resolve their issues at grass-root level.
- Moreover, majority of them want separate electorate for the Christians in the Parliament. There is a mal-practice about the nominated candidates in the Parliament for each Hindu and Christian communities being equal proportion of population. But, these days, out of 10 seats in the National Assembly, eight are Hindus and two by Christians. In the Senate only 1 Christian member is nominated against 3 Hindus. In actual sense, both religious communities are almost equal in proportion of population.

Recommendations

- An independent National Commission for minorities in Pakistan should immediately be established by the government to ensure protection from discrimination and intimidation.
- The federal government must have the authority to rule out any provincial legislation that downgrades the status of minorities in the provinces.
- There must be a conducive environment in all the departments so that minorities may perform their responsibilities efficiently.
- Free and fair judiciary can ensure justice to all and law must be implemented in a transparent manner by the government so that the blasphemy issues under 295-B and 295-C be properly investigated and no minority can be prosecuted unfairly.
- The government of Pakistan must take some concrete measures in order to make it possible for the minorities especially the Christians to take active part in decision-making mechanisms. Furthermore, the minorities must have equal opportunities to get higher posts in civil and military administration.
- It is obligatory for the government institutions to provide conducive environments in which minorities can contribute in economic and political fields without any discrimination of caste, color or religion. They must be provided such environment in which they would be able to run their business activities freely.
- Transparent inquiries must be made in cases of attacks on Christian colonies i.e. Josph colony and Yohna Abad and the culprits must be brought to justice in accordance with state laws.
- The federal and provincial governments must make complaint procedures easy and effective assuring that educational institutions protect all the students from discrimination on religious grounds.
- The religious and cultural festivals of the Christians like Easter and Christmas must be given coverage in print and electronic media to enhance their confidence level that they are the equal citizens of Pakistan.

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- Laws such as blasphemy and evidence that discriminate particularly against Christians should be amended and those found guilty of false evidences for whatever reasons should be brought under the law so that discrimination and misuse of any provision and law could be avoided in future.
- Government must discourage mob psychology and any act of violence against any religious community. The places of religious worship must be used for inter-faith harmony and tolerance in society. Moreover, school curricula must include lessons on tolerance and inter-faith harmony to bring perpetual peace in society.
- The government of Pakistan should take concrete steps to ensure that all laws, policies and practices are in accordance with the international conventions.
- It is the constitutional responsibility of the federal and provincial governments to provide fool proof security arrangements to all the religious minorities at all levels so that they may enjoy the fundamental rights.
- The reserved quota in Public sector for minorities must be increased from 5% to 8% because of the increase of population of minorities. In this way, they will be able to exploit their potential and energies in maintaining their living standard. They will render their services for the prosperity and progress of the country.
- The minorities particularly the Christians think that they are not given due respect in society and the places of work. They must be given equal rights with respect and dignity. The general public should be taught and trained in such a way that they consider all the people as equal citizens of state.
- The religious leaders and Ulemas must ply their active and effective role in bringing mutual harmony on religious grounds and hate speeches against non-Muslim minorities must be banned.
- More budgets should be allocated for the Ministry of Human Rights and Minorities Affairs for the uplift and betterment of minority communities throughout Punjab Province.

Conclusion

Minorities in Pakistan have been living in peace, harmony and tolerance since independence. But over the years the minority groups especially the Christians have been complaining about the inequality, absence of political empowerment, lack of educational facilities and maltreatment in the country. The minorities have been facing humiliation and discrimination at all levels by both the government and the people. The situation has been worsened after the implementation of Blasphemy Laws i.e. Section 295-B and 295-C. These laws have overwhelmingly been used to target the minorities across the country in context of the personal rivalry and political agendas. The government needs to address the issue on emergency grounds so that the minorities in Pakistan can feel safe and secure to play their part in the development and progress of the country.

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