

## The status of multiculturalism in Pakistan

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### **ABSTRACT**

*Modern states are plagued with the issues of diversity which require a political solution. Though there cannot be a universal solution fitting every state, every state strives for a contextual solution to face diversity. Pakistan, being dominantly a Muslim state, has cultural, linguistic, ethnic and religious minorities none of which is in the position to demand self-government but accommodation and recognition by the dominant group. The blasphemy law and high degree of Islamization have aggravated the position of minorities which require modification. Muslim-Minority relations are also affected by international events. The present study is an attempt to highlight the status of multiculturalism and issues of minorities by projecting the political and constitutional structure of Pakistan with an emphasis on the blasphemy law. It will show the history and expression of ethnicity and the complaints of the religious minorities. In the end, it will dig out some recommendations to provide a favorable environment for minorities in Pakistan.*

**Key Words:** Multiculturalism, Pakistan, Ethnicity, Blasphemy law, Ulema.

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## **Introduction**

Pakistan got independence on August 14, 1947, and was territorially divided into two parts, separated by about 1,000 miles of India. One condition that facilitates unifying a new nation, namely territorial contiguity was absent. It was composed of five provinces; Khyber Pakhtunkhwa (former NWFP), Sindh, Punjab, Baluchistan, and East Bengal and Federally Administered Tribal Area (FATA). Urdu became the national language of Pakistan, chosen to facilitate inter-provincial communication between the country's diverse linguistic populations. Although only about 7.5% of Pakistanis speak it as their first language, it is spoken as a second and often third language by nearly all Pakistanis. English became the official language of Pakistan. It is widely used within the government. Nearly all schools, colleges and universities use English as the medium of instruction. Amongst the more educated social circles of Pakistan, English is seen as the language of upward mobility and its use is becoming more prevalent in upper social circles often spoken alongside native Pakistani languages.

Around 93 % of the population of Pakistan is Muslims out of which 22% are Shia and 78% are Sunni. There are religious minorities dominant among which are Hindu, Christians, Ahmadiyya, Kalash, Parsis Sikh, and Jews. So far, Pakistan has got three constitutions (1956, 1962 and 1973) all of them have shades of Islam. The constitution of 1973 is more Islamic oriented. The name of the state is the Islamic Republic of Pakistan and Islam has been declared as the state religion (Article 2). The president (Article 41/2) and the prime minister (article 91/3) must be Muslims. Specific provisions have also been given for the protection of minorities.

Ethnic Punjabis make the majority of Pakistan's population. They are well represented in political, bureaucratic, and military establishments. For Punjabis, ethnicity is not as much a matter of public discourse as it is for others. Punjabi is largely a spoken language, while Urdu rules as the written medium. Pakhtuns, Balochs, Sindhis, and lately Muhajirs are relatively more conscious of their ethnicity as minority communities. They demand a fair share of political authority and economic development as well as the preservation of their cultural and linguistic heritage.

In the beginning, the provinces, particularly East Pakistan, demanded recognition of their cultural and linguistic distinctions and protection of their economic interests while refugees coming from India asserted their claim to citizenship based on Islamic bonds. The raising of all these voices alarmed the ruling

clique, driving it to perceive dissents as a threat to national unity. Jinnah's saying "Unity, Faith and Discipline" became its rallying cry for demanding conformity. National unity was often defined as homogenization. It was seldom conceived as unity built on diversity.

The question of the basis of Pakistan's nationhood resurfaced in the process of constitution-making. The *ulema* (religious scholars) pressed for what Ishtiaq Ahmed calls "the sacred state excluding human will" (Ahmad, 1987: 87). Sayyid Abul-A'la Maudoodi, the leader of Jamaat-e-Islami, for example, maintained: "The Shariah ... prescribes directives for the regulation of our individual as well as collective life ... (touching) such varied subjects as religious rituals, personal character, morals, habits, family relations ... laws of war and peace" (Ahmad, 1987: 95). The position of the *ulema* was self-serving and fundamentalist in conception. On the other hand, the intelligentsia wanted to give a liberal interpretation to the principles of Islam and was not prepared to give such wide powers over their personal life to *the ulema*. Yet any discourse about Islam was too sacred to be rejected altogether. There were more democratic versions of the Islamic order proposed during the constitutional debates, with wider space for individual freedom and choices of civic life. Ishtiaq Ahmed calls them, "The sacred state admitting human will" (Ahmad, 1987: 121).

The Objectives Resolution passed by the Constituent Assembly on 12<sup>th</sup> of March 1949, as a statement of constitutional principles, sought to combine modern liberal ideas such as democracy, freedom, equality, tolerance, and social justice with the desire of Muslims "to order their lives in the individual and collective spheres in accord with ... teachings and requirements... Quran and Sunnah" (Constituent Assembly, 1949:1-2). The Objectives Resolution represented a compromise between the Islamic promises of Pakistan and democratic liberal notions of individual freedom and social justice. Yet, as the subsequent history of Pakistan shows, it did not resolve the "identity crisis" of Pakistan. A nondenominational liberal-democratic state based on the Muslim majority's moral order was another option feebly in play for the national identity of Pakistan. Muhammad Ali Jinnah (the founder of Pakistan), in his inaugural speech to the newly formed Constituent Assembly of Pakistan on August 11, 1947, laid out such an ideal as the unifying principle of the state. He proclaimed: "every one of you...is first and last a citizen of the state with equal rights...you may belong to any religion or caste or creed that has nothing to do with the business of the state..." This speech seemed to change the whole rationale of Pakistan (Ahmad, 1987: 141). The secularists have often relied on this speech in support of their vision of Pakistan, although their voices have been steadily marginalized.

However, in 1971 the eastern wing of Pakistan (known as East Pakistan) separated from the western wing and became Bangladesh. This event left the rest of Pakistan with only four provinces and FATA, which are contiguous but has a multicultural status. Present Pakistan is a country of pluralist traditions. Each of its provinces has a distinct mix of languages and ethnic stocks. There are numerous dialects, changing almost every hundred miles (Qadeer, 2006: 40). Independence (August 14, 1947) brought refugees from India who were ethnically and linguistically different from the original residents of the receiving regions. This process further extended the diversity of population and patterns of living, particularly in Sindh and Punjab. It also laid bases for the ethnic strife in the competition for jobs, political power, and state patronage. Immigrants to Karachi transformed it from a Sindhi port city to an Urdu-speaking metropolis, triggering feelings of distrust between Sindhis and Muhajirs (the Urdu-speaking refugees from India). Sindh's ethnic and linguistic split has aligned along the urban-rural divide. Muhajirs have spread out in cities and Sindhis continue to dominate in villages and towns.

Baluchistan is a multicultural province divided into regions dominated by Balochs, Barohis, Pakhtuns, Jats, and small clusters of other ethnic minorities. Its dominant language is Baluchi which is spoken as the first language by about 3.5% of Pakistanis. In the 1980s, the province received a large number of Afghan refugees, tilting the demographic and social balance toward Pakhtun in northern and central districts.

Punjab's diversity of dialects, Saraiki and Pothohari contrasting with the heartland Punjabi, was striking at the time of independence. Since then, the increased mobility of the population and the absorption of refugees from India have stimulated homogenizing tendencies both linguistically and ethnically. The dominant language of Punjab is Punjabi which is spoken as a first language by more than 44% of Pakistanis.

Khyber Pakhtunkhwa (former NWFP), although symbolically a Pakhtun region, is also a province of many ethnicities and languages, for example, Hindku-speaking people inhabits the Peshawar Valley and Hazara district, and Saraiki speakers are found in the Derajats. However, the dominant language is Pashto which is spoken as a first language by 15.5% of Pakistanis.

Sindh is more diverse than the rest of the provinces composed of the natives Sindhis, a dominant portion of the Hindu minority and the Muhajir from India at the time of independence. The Muhajir is largely concentrated in the urban areas while the native Sindhis are in the rural area. The dominant language is Sindhi which is spoken as a first language by 15.5% of Pakistanis.

The existence of a multiplicity of ideas about Pakistan is not a symptom of its ideological weakness. It is the misguided attempt to silence divergent voices with state authority and political intimidation that has not allowed the ideological contradictions to be resolved and a dynamic consensus to be formed. The unresolved ideological conflicts have created a persistent identity crisis in Pakistan (Isphani, 2003: 22–3).

This study is an attempt to analyze the status of the multiculturalism of Pakistan. After a brief introduction in section first, the second section presents the social history of the ethnicity of Pakistan. The third section focuses on the social expressions of ethnicity and says that ethnicity is visibly woven into the politics of Pakistan, but it also underlies social relations and affects the economic and social organization. The fourth section gives a brief picture of the position of the religious minorities in the various constitutional instruments and their constitutional safeguards while the fifth section gives a brief sketch of the various religious minorities in Pakistan. The sixth section concludes the paper along with forwarding some recommendations.

### **Social History of Ethnicity**

Pakistan is an ethno-national state. Its nationalism is based on the Muslims' claim of being a distinct religion-cultural nation. Yet soon after independence, the provincial ethnicities started to surface. Pakhtun nationalism was rampant in Khyber Pakhtunkhwa (KP); Bengali students rioted for their language rights, and Refugees settled in Karachi became conscious of their ethno-linguistic identity. Struggling for an appropriate share in economic development, maintaining cultural and linguistic identity, and preserving a degree of self-rule were the motives that agitated ethnic interests. After the first flush of independence, the theme that stirred ethnic consciousness was the perceived disparity of opportunities for refugees and locals in Sindh. Sindhi leaders protested the resettlement of refugees on their lands. Punjabi and Bengali politicians resented the domination of those came from the United Province in the national power structure. Urdu-speaking public officials migrating from India had an edge in positions of authority in the new state (Waseem, 1994: 242). Stereotypically, they were assumed to be favoring their co-ethnics to the disadvantage of the locals. These were the first stirrings of provincialism, which is the sentiment of solidarity with people from the province of one's origin and ethnicity. The inequalities of access to jobs have been the most potent force of ethnic discontent in Pakistan. Bengalis' main grievance against the state of Pakistan was the disparity in civil and military appointments (Rizvi, 2000: 187). The anti-Ahmadi movement in Punjab in 1953 was inflamed with accusations of Ahmadiyyas appropriating 'high positions'. Muhajirs in Karachi were aroused by the shift in the civil service quotas. All small provinces

have long been aggrieved about Punjabis' domination in the military and civil administration. One could sum up the history of Pakistan's political crises and ethnic nationalism in terms of fights over job quotas (Qadeer, 2006: 69).

The next major threshold in the rise of ethnic consciousness was the merger of four western provinces into the One-Unit in 1955. This destruction of the historic provincial polities aroused regionalism and ignited distrust toward Punjabis. Restoration of the four provinces was a demand voiced in all parts of West Pakistan in the 1968 anti-Ayub protests. The dissolution of the One-Unit in 1969 was an acknowledgment that ethnicity and language were the defining realities of Pakistani society. Public authority continued to be concentrated in the federal government, although the 1973 constitution envisaged a high measure of provincial autonomy. Not all ethnic groups gained equally from Bhutto's (being a Sindhi) policy. Urdu speakers of Karachi were alienated by the reservation of jobs and educational opportunities for Sindhis. This alienation helped consolidate the Muhajir ethnicity both socially and politically. The suppression of the KP and Baluchistan provincial governments sparked protests in these provinces. Pakhtun leaders were persecuted to suppress demands for provincial autonomy. The Baloch tribal insurrection of the Bhutto era was defined by Mr. Bizenjo, the deposed governor and a *Sardar* of Baluchistan, and some Leninist theorists as the struggle for 'nationality rights', implying the rights of secession and self-determination for linguistic and cultural minorities (Ahmad, 1998: 1-11).

General Zia deployed Islam to override ethnic nationalism. When Sindhis' disaffection with the Zia regime turned into a sustained agitation under the Movement for the Restoration of Democracy (MRD) in the 1980s, his government leaned towards Muhajir to counterbalance MRD. Sociologically, these political maneuverings fostered interethnic strife, widening the gulf among ethnic communities living side by side in Karachi, Hyderabad, and other cities of Sindh. The mutual distrust between Sindhis and Muhajirs turned into endemic ethnic violence. Sindhi–Muhajir–Pakhtun riots flared repeatedly during the 1985–8 period (Qadeer, 2006: 283). Since then, the social distance between these groups has widened so much that violence can erupt almost any time on a rumor or traffic accident.

For Baluchistan and the KP Provinces, the Soviet invasion of Afghanistan and its aftermath were the transforming events of the 1980s. These two border provinces were host to about three million Afghan refugees whose presence changed their demography and political culture. As a result, Baluchistan became a Pakhtun majority province. By the beginning of the twenty-first century, Pakhtuns' ethnicity has been overlaid with Islamic conservatism of the Taliban variety. Islamic ideology itself is being Pakhtoonized with

the incorporation of tribal traditions as the authentic elements of Islam. Even the leadership of Islamic movements in Pakistan has passed on to Pakhtun heads of *madrassa* (seminaries) and political leaders.

### **Social Expressions of Ethnicity**

Ethnicity is visibly woven into the politics of Pakistan, but it also underlies social relations and affects the economic and social organization. Ethnicity represents 'roots' for an individual. Provincial ethnic communities are not organized as social structures, rather as solidarities that have a common heritage, language(s), values, beliefs, and myths but few, if any, institutions. They are moral communities. There are no province-wide institutions that link members together except some political and cultural associations which are the common expressions of ethnicity, particularly those of minority communities, in a multiethnic society. Ethnicity in Pakistan works from inside out beginning with family, clan, and kin and extending to the tribe, *biradari*, or caste and through them merging into Pakhtoon, Muhajir, or other cultural/territorial community. For example, a Punjabi is first a Qureshi, Butt or Choudhry, as is a Baloch first Brohi or a Bugti. *Biradari* in Punjab and clans and tribes in KP, Sindh, and Baluchistan are the groups whose identity, values or approval have a direct bearing on an individual's status, heritage, and identity. The prevailing provincial ethnicity is not the primary reference point for people's behavior. For example, marriages are not contracted freely among, say, Punjabis or Pakhtun, but within specific clans and *biradari* and even within these groups with cousins or other blood relatives. Kinship networks and clan identities plan the everyday life of a Pakistani. They are the channels through which the broader ethnic bonds are routed. But ethnic bonds and identities in Pakistan do not prevail in all situations. Social movements and religious or sectarian loyalties and political ideologies can trump them. Even within a tribe or *biradari*, Sunnis would not normally marry Shias, although they may unite in disputes with other clans or tribes. Jinnah, a Bohra from Bombay, Bhutto, a Sindhi, and even Nawaz Sharif, a Punjabi, could energize people across ethnic boundaries in support of their political programs (Qadeer, 2006: 70-1).

### **Religious Minorities and their Constitutional Safeguards**

Though the Objectives Resolution (March 12, 1949) guaranteed fundamental rights to religious minorities on equality basis with Muslim citizens, it was highly criticized by the minorities. It provided that adequate provision should be made for the minorities to freely profess and practice their religions and develop their cultures. In the first constitution promulgated in 1956, the office of President was reserved for Muslims only, though the Speaker of the National Assembly (who could act as the President in the absence or death

of the President) could be a non-Muslim. Similar was the case of the 1962 constitution. In the constitution of 1973 Islam has been declared as the state religion of Pakistan. Article 227 again stipulates that all laws should conform with Islamic principles (other than the personal laws of non-Muslims, i.e. in the matter such as marriage, divorce, and inheritance). The position of Prime Minister is also reserved exclusively for Muslims in addition to that of President (article 41/2). In 1977 Prime Minister Bhutto, himself, not a fundamentalist and supporting a secularist ideology, gave in to opposition's demands and announced the introduction of Shariah law and changed the weekly holiday from Sunday to Friday. Zia is said to have appropriated into the state the powers of religious institutions. Many *ulemas* became participants in policy-making and higher echelons of Zia's administration without going through a democratic process (Gabriel, 2007: 43).

However, minorities are equal citizens of Pakistan. A quota of 10 and 4 has been reserved for the non-Muslim in the National Assembly and Senate respectively. Article 25 of the 1973 constitution says that all citizens are equal before the law and are entitled to equal protection of the law. Article 20 provides that every citizen shall have the right to profess, practice and propagate his religion; and every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions. Article 21 provides safeguard against taxation for purposes of any particular religion. No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own. Article 22 provides safeguards to educational institutions in respect of religion, etc. It says that no person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own. In respect of any religious institution, there shall be no discrimination against any community in granting exemption or concession about taxation. Subject to law: no religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and no citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth. Article 27 provides that no citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth. Similarly, article 36 says the state shall safeguard the legitimate rights and interests of minorities, including their due representation in the federal and provincial services.



## **Religious Minorities in Pakistan**

**I. Christians:** Christians have a population of 1.59%. In a poll, 92% of Christians said that they are resolved to be a good Pakistani (Butler and Chagathai, 1994: 346). However, Christians in Pakistan complain that they are often looked down upon owing to their origins from the lower echelons of society such as the *chuhras* (sweepers). The majority community, in any case, will tend to look down upon them as inferior citizens such as the *Ahl al dhimma*. The Islamic State is ideological not a national state. Non-Muslims cannot participate in policy-making but only in administration (Butler and Chagathai, 1994: 338). Christians are not arguing for a separate autonomy or rights as a community but freedom to function as fully autonomous individuals in a liberal democratic nation with equal opportunities and with equal access to education, technology, employment, etc. (Gabriel, 2007: 45). However, many Muslims associate Christians with the colonial regime or the West.

Christians complain that the educational system in Pakistan is to some extent vitiated by religious bias and intolerance. This is certainly a consequence of the escalating Islamisation of the state that had its greatest momentum during the regime of Zia-ul-Haque. The Justice and Peace Commission of the Roman Catholic Church of Pakistan has pointed out that syllabi are not based on democratic values and are discriminatory to non-Muslim students (The Christian Voice, 25 July 2004). The Christian Voice (11 April 2004) also pointed out that educational materials are insensitive to religious minorities. Islamization has filtered into even other subjects such as History, Civics and Social Studies. Islamiyat spills over into other subjects, even into the study of English and Urdu. Gabriel (2006: 49) says that the depiction of Christianity at higher-level classes is negative. The Christian Voice (11 April 2004) alleges that textbooks contain hate material about the Hindus. Some texts define Pakistan as a Muslim country while India as a Hindu country. This depiction of religiously pluralistic nations is evidently erroneous and calculated to incite hatred of minorities and a neighboring nation.

**II. Hindus:** It is the biggest religious minority and constitutes about 1.83% (which is the 5<sup>th</sup> largest population of Hindu) of the population of 170 million. They live primarily in the urban areas of the province of Sindh in the lower Indus valley and over half of them are concentrated in the south-east district of Tharparkar which borders India (Report of Pakistan Hindu Council). The Pakistan Hindu Panchayat and the Pakistani Hindu Welfare Association are the primary civic organizations that represent and organize Hindu communities on social, economic, religious and political issues. Other minority commissions are dealing with specific issues concerning minorities.

The increasing Islamization of Pakistan and antagonism against India has been an influential factor in the grievances of Hindus. Hindus complain that the promulgation of *Shariah* has increased the marginalization of Hindus and other minorities. Following the Babri Mosque riots in India, riots, and attacks on Hindus in retaliation increased; Hindus in Pakistan are routinely affected by communal incidents in India and violent developments on the Kashmir conflict between the two nations. Hindu minorities, under Taliban rule in Swat district of KP, were forced to wear Red headgear such as turbans as a symbol of Dhimmi. In July 2010, around 60 members of the minority Hindus in Karachi were attacked and ethnically cleansed following an incident when a Hindu youth drank from a water tap near an Islamic mosque (Press Trust of India, July 12, 2010). Hindus say that for the upholders of the Ideology of Pakistan, the existence of Pakistan is defined only juxtaposition to Hindus, and hence the Hindus have to be painted as negatively as possible (Nayyar and Salim, 2003). A 2005 report by the National Commission for Justice and Peace, a nonprofit organization in Pakistan, found that Pakistan Studies textbooks in Pakistan have been used to articulate the hatred that Pakistani policy-makers have attempted to inculcate towards the Hindus. From the government-issued textbooks, students are taught that Hindus are backward and superstitious (The Daily Times (Pakistan), April 25, 2006).

**III. Kalash:** The Kalash or Kalasha is an ethnic group found in the Chitral district of the Khyber Pakhtunkhwa of Pakistan. Although quite numerous before the 20<sup>th</sup> century, this non-Muslim group has been partially assimilated by the larger Muslim majority of Pakistan and seen its numbers decrease over the past century. Today, sheikhs, or converts to Islam, make up more than half of the total Kalasha-speaking population.

The culture of Kalash people is unique and differs drastically from the various ethnic groups surrounding them. They are polytheists and nature plays a highly significant and spiritual role in their daily life. As part of their religious tradition, sacrifices are offered and festivals held. Kalash mythology and folklore have been compared to that of ancient Greece. Some scholars have speculated that the Kalash might derive from the direct descendants of Greek settlers, or of members of the army of Alexander the Great (Sikander Khan, The News, May 15, 2007). Recently, the people of Kalash have been able to stop their demographic and cultural spiral towards extinction and have been on the rebound. Increased international awareness, a more tolerant government, and monetary assistance have allowed them to continue their way of life.

Allegations of immorality connected with their practices have led to the forcible conversion to Islam of several villages in the 1950s, which has led to heightened antagonism between the Kalash and the surrounding Muslims. Rehman and Ali (2001: 163) report that the pressure of radical Muslim organizations is on the increase: "Ardent Muslims on self-imposed missions to eradicate idolatry regularly attack those engaged in traditional Kalash religious rituals, smashing their idols.

Historically, a goat herding and subsistence farming people, the Kalash are moving towards a cash-based economy whereas previously wealth was measured in livestock and crops. Tourism now makes up a large portion of the economic activities of the Kalash. To cater to these new visitors, small stores and guest houses have been erected, providing new luxury for visitors of the valleys. People attempting to enter the valleys have to pay a toll to the Pakistani government, which is used to preserve and care for the Kalash people and their culture (Rehman and Ali, 2001: 163).

The language of the Kalash is Kalasha and Pashto. In contrast to the surrounding Pakistani culture, the Kalash do not in general separate males and females or frown on contact between the sexes. However, menstruating girls and women are sent to live in the "*bashaleni*," the village menstrual building, during their periods, until they regain their purity. They are also required to give birth in the *bashaleni*. There is also a ritual restoring purity to a woman after childbirth which must be performed before a woman can return to her husband (Parkes, 1990: 131).

Marriage by elopement is rather frequent, also involving women who are already married to another man. Indeed, wife-elopement is counted as one of the "great customs" together with the main festivals. Girls are usually married at an early age. If a woman wants to change husbands, she will write a letter to her prospective husband offering herself in marriage and informing the would-be groom how much her current husband paid for her. This is because the new husband must pay double if he wants her. For example, if the current husband paid one cow for her, then the new husband must pay two cows to the original husband if he wants her. Wife-elopement may lead in some rare cases to a quasi-feud between clans until peace is negotiated by mediators, in the form of the double bride-price paid by the new husband to the ex-husband (Aparna and Monika, 2000: 273). The dead are buried above ground in ornamented wooden coffins. Wooden effigies are erected at the graves of wealthy or honored people (Maggi, 2001: 159). The uniform school syllabus and emphasis on Urdu and Arabic in the official schools in the valleys are barriers to Kalasha maintaining their own religious-cultural identity.

**IV. Ahmadiyya:** The Ahmadi population is 3.1-4.2% of the total population of Pakistan (The Economist. 13 January 2010). Its founder was Mirza Ghulam Ahmad. It accepts four of the five basic principles of Islam, namely prayer five times a day, the Ramadan fast, the Pilgrimage to Mecca (*Hajj*) and alms-giving. They do not accept the fifth principle, that of the *Jihad* or Holy War against non-believers. Many beliefs are controversial between the mainstream Muslims and the Ahmadiyyas like the return of Jesus, Jesus as the son of Mary, the status of Mirza Ghulam Ahmad, the definition of Muslim, the finality of the Prophethood of Muhammad (PBUH) and Jihad.

Pakistan has officially declared the Ahmadiyyas as non-Muslims. Their freedom of religion has been curtailed by a series of ordinances, acts and constitutional amendments (Friedmann, 2003: 98). In 1974 Pakistan's parliament adopted a law declaring Ahmadiyyas to be non-Muslims. The 1973 constitution was amended to define a Muslim "as a person who believes in the finality of the Prophet Muhammad" (Kamran, 2008: 120). In 1984 General Zia-ul-Haque, the then military ruler of Pakistan issued Ordinance XX which forbids Ahmadiyyas to call themselves Muslim or to "pose as Muslims" (Khan, 2005: 178). This means that they are not allowed to profess the Islamic creed publicly or call their places of worship mosques (Heiner, 1995: 587). Ahmadiyyas in Pakistan are also barred by law from worshipping in non-Ahmadiyya mosques or public prayer rooms, performing the Muslim's call to prayer, using the traditional Islamic greeting in public, publicly quoting from the Quran, preaching in public, seeking converts, or producing, publishing, and disseminating their religious materials. These acts are punishable by imprisonment of up to three years (Khan, 2005: 183). In applying for a passport or a national identity card, all Pakistanis are required to sign an oath declaring Mirza Ghulam Ahmad to be an impostor prophet and all Ahmadiyyas to be non-Muslims (Khan, 2005: 187). Ahmadiyyas are considered to be the least deserving minority in terms of equal opportunities and civil rights (Rahman, January 2005).

**V. Jews:** A tiny Jewish community remains in Karachi, Pakistan. There are 15 independent communities in Pakistan. Efforts are being made to unite these into a larger Jewish Community of Pakistan and Kashmir. Jews demand the restoration of Jew synagogues, the right to exist as free individuals, respect for Jewish religious practices, and the right to vote and have separate representation in the Assembly. Jews have the following social and religious organizations:

1. Magain Shalome Synagogue, Karachi.
2. Young Man's Jewish Association, Karachi.
3. Karachi Bene Israel Relief Fund, Karachi and

4. Karachi Jewish Syndicate.

**VI. Sikhs:** Sikhs have a negligible population inhabited the largest cities in Punjab such as Lahore, Rawalpindi, Faisalabad, and Khyber-Pakhtunkhwa. The Sikhs in Pakistan have good relations with the majority Muslim population.

Minority rights in law have been seriously compromised by the introduction of measures involving enforcement of the *Shariah* during Zia-ul-Haque's regime. The rights of non-Muslims in an Islamic state are that conferred by the *Shariah*. The Blasphemy Law in the Pakistan Penal Code and Criminal Procedure Code is a significant factor in non-Muslim-Muslim relations. The issue of the Blasphemy Law in Pakistan came to the limelight during the regime of General Zia (1977-1988). In 1985 he added clauses 295 B and 295 C which *inter alia* stipulated the death penalty for defaming the Prophet Muhammad (PBUH). Article 295 deals with injuring or defiling a place of worship to wound religious sensibilities of any faith. The penalty prescribed is two years in prison or fine or both. Article 295A pertains to deliberate and malicious acts intended to outrage religious feelings of any group by insulting its religion or religious beliefs. The punishment is ten years in prison or fine or both. Article 295B relates to the defiling of a copy of the Holy Quran. The penalty is life imprisonment. Finally, the most controversial of the laws, 295 C, relates to derogatory remarks in respect of Prophet Muhammad (PBUH). This offense entails capital punishment or life imprisonment. In 1990 the religious parties took the matter to the Federal Shariah Court, stating that there should be a mandatory death sentence for this offense, and the Shariah court acquiesced. Thus the alternative life imprisonment clause was deleted from 295 C (Gabriel, 2006: 60).

The Ahmadiyya considers itself to be a Muslim sect considered to be extremely heretical by Orthodox Muslims, and therefore, there are provisions in the Blasphemy Law that relate to it specifically. In addition to the earlier provisions more elaborate regulations were also put in place by General Zia which include questioning of the finality of Prophet Muhammad (PBUH). This is no doubt a challenge to the Ahmadiyya who believe that the institution of prophets by God carried on after Prophet Muhammad (PBUH) and consider Mirza Ghulam Ahmad, the founder of the sect, as the Prophet of the twentieth century. A serious deficiency in the Blasphemy Law as it stands is that it relates to the religious sensibilities of the Muslims alone.

### **Conclusion and Recommendations**

Pakistan is a plural country where equal citizenship based on unfettered human rights could lead to many improvements. This can only happen if the country's leaders and opinion-makers act more responsibly and avoid inciting hatred by preaching tolerance and coexistence. The Pakistani ruling elite must revisit Jinnah's vision of a tolerant, plural and democratic Pakistan, anchored on the principles of equal citizenship and other rights, irrespective of caste, creed or gender. Such an idea was the original creed of the movement for Pakistan and forms a point of consensus for a vast majority of the population even today.

Pakistan is a multi-religious, multi-cultural, multi-linguistic and multi-ethnic society. A major part of the minority population is poor, illiterate, thus socially and economically marginalized. Despite all these adverse circumstances, there have been attempts to improve inter-religious relations. The Ministry of Religious and Minority Affairs is a body that has been instituted to safeguard the constitutional rights and welfare of minorities. The Federal Advisory Council for Minority Affairs is another organization with minority representatives. District Minority Committees also exist. In 1985 a non-lapsable special fund for the uplift and welfare of minorities has also been created. One of its remits is to assist individuals and families financially in dire straits. The National Commission for Minorities established in 1993 is another body constituted for safeguarding the interests of minorities. These bodies should be strengthened institutionally and economically.

The constitution guarantees the right to freedom of belief; every religious denomination has the right to maintain its religious institutions and is exempted from payment of any special tax raised in the interest of a religion other than its own. No one can be required to receive instruction in a religion, or join a religious ceremony related to a belief other than his own but on the contrary, there are several laws and regulations, especially the articles and provisions of the constitution, which discriminate against religious minorities. While some provisions treat Muslim citizens preferentially, the others just ignore the fact that Pakistan is a multi-religious society.

There are several regulations and policies concerning; syllabus for education institutions, government-controlled media, a concession for the inmates in jail, admissions and filling vacancies that are based on biases for religious minorities. The minorities' lives and properties are threatened as a reaction to events abroad. When the Babri Mosque was demolished in India many temples and churches were demolished

in Pakistan. The institutions of the Christian community came under intense attacks after the September 2001 events.

Fundamentalist activities, among other factors, are encouraged by poverty and disillusion. As admitted by the government, every third Pakistani is living below the poverty line. The economic and political empowerment of the people on an equal basis through a system of joint electorates with some special incentives, seats, and safeguards for minorities can help Pakistan to achieve lasting social cohesion. The initiatives have to come from the government in areas including communication, constitution, education, electoral politics, employment, and general law and order. Further, a greater awareness of the obligations and attributes of pluralism is an urgent need. Pakistani nationalism must symbolize the plural realities of society rather than demanding or imposing unitary nationhood.

To harmonize the majority-minorities relationship in Pakistan the following recommendations should be given a practical hearing.

- I. Independent commissions for racial, religious and gender equality, or similar institutions, should be set up, to receive and investigate complaints, to offer advice to victims of discrimination and to undertake awareness-raising activities to promote the principles of non-discrimination and understanding between different communities. The government should undertake measures to promote awareness of the value of diversity, minority rights, and the contribution of various communities to the culture and history of Pakistan, for example, by introducing new elements into school curricula.
- II. The authorities should ensure that religious and other minorities can participate in all aspects of public life. They may consider a wide range of mechanisms for ensuring participation of minorities in decision-making, including reserved seats in government and consultative bodies on the national and local level covering matters of concern to minorities, and forms of cultural or territorial autonomy.
- III. Measures should be undertaken to ensure that minorities can participate in economic and public life without discrimination, including monitoring of recruitment practices and punitive measures against those found to be discriminating against minority applicants.
- IV. Pakistan should ensure that all laws, policies, and practices comply with its obligations under international law and conventions. It should take immediate steps to ratify and implement all of the remaining major human rights instruments, in particular the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights.

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