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Postdoctoral Research
Minhas Majeed Khan (Ph.D)

An Analysis of
Religious Freedom
and Democracy in
Pakistan Under International
Religious Freedom Act
(1998) of the US



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An Analysis of Religious Freedom and Democracy in Pakistan Under International Religious Freedom Act (1998) of the US

Postdoctoral Research

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June 2016

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Introduction

Religious element is a critical component of political and social stability and security worldwide. With the increasing interplay between religion and politics, international affairs have increasingly become complex and the world has grown more repressive for different religions and their followers due to religious extremism. The fear that the next great world war might be grounded in ideological/theological issues, unfortunately, may turn out to be a reality if issues of religious extremism and intolerance are not taken into account. In the post 9/11 periods, the International Religious Freedom Act (IRFA) of the United States (US) has gained significant importance, as it has raised issues such as environment, human rights and democracy besides religious freedom, religious persecution and discrimination worldwide.

The efforts to place religious freedom and conscience a top priority of US foreign policy were recorded in 1996. It was Secretary of State Warren Christopher, in 1996, who announced the creation of an Advisory Committee on Religious Freedom Abroad. The Committee was influenced by the many faith-based organizations that began lobbying the US Congress asking for greater attention to human rights during the 1980's and 1990's. The Committee, consisting of 20 American religious leaders and scholars, produced an interim report in 1998 and a final draft in 1999 that recommended a foreign policy agenda geared toward the promotion of religious freedom worldwide.¹

One of the implications of Globalization - with positive as well as negative sides; is the rapid exchange of information, and therefore, any atrocity committed against individuals or states becomes a global affair within seconds. The focus of this monograph is on religious freedom and promotion of democracy under IRFA of the US, passed on October 27, 1998. The original Bill focused mainly on the persecution of Christians. However, the

¹ International Religious Freedom Act of 1998, (CFR: January 27, 1998), <http://www.cfr.org/religion/international-religious-freedom-act-1998/p16253> (accessed January 26, 2010).

Episcopal Church, later on, supported the alternative Bill, which included all religious groups.²

The Congress established the Department of State's Office of International Religious Freedom to monitor violation of the above-mentioned issues abroad. It is headed by an Ambassador at Large for International Religious Freedom. The President and Congressional leaders of both Republican and Democratic parties appoint the members of US Commission on International Religious Freedom (USCIRF).

The USCIRF recommends policies to the State Department for application in countries where there is gross violation of these issues and place sanctions on any violator country. IRFA requires the President, who has delegated this authority to the Secretary of State, to designate as 'Countries of Particular Concern' or CPCs, those governments that have engaged in or tolerated 'particularly severe' violations of religious freedom. IRFA defines 'particularly severe' violations as ones that are 'systematic, ongoing, and egregious', including acts such as torture, prolonged detention without charges, disappearances, or 'other flagrant denial[s] of the right to life, liberty, or the security of persons.'³ After a country is designated a CPC, the President of the US is required by law to take one or more of the actions listed in IRFA, or to appeal a waiver if circumstances merit.

Freedom of religion and its association with democracy is a large and much-debated subject and the IRFA, holds an important place in any discussion regarding it. In recent years, the need for religious freedom 'as a universal human right and source of stability'⁴ has mounted due to religious intolerance, seen globally, among the followers of different faiths. It is generally believed that

² Lauri Cozad, The United States' Imposition of Religious Freedom: International Freedom Act & India, *India Review*, 1(4), 2005. 63-4.

³ Annual Report of the United States Commission on Religious Freedom, (2013), 3.

⁴ Lee Marsden. Bush, Obama and a Faith-Based US Foreign Policy. *International Affairs*, September 2012, 88 (5), 955.

religious oppression tends to escalate in countries run by authoritarian rulers, where there are high government restrictions on religion, other than the official religion, and the brunt of which falls on religious minorities.

Moreover, since religious extremism is believed to take root in authoritarian and undemocratic societies, it is argued that IRFA can help in promoting democracy, which, as a result, will help in eradicating religious extremism and guarantee religious freedom. It is also stressed that the advancement of freedom of religion or belief has a direct correlation with the advancement of democracy, basic human rights, economic prosperity and thriving civil societies.⁵ Some supporters of the Act favour that it should be advanced through punitive measures like automatic sanctions against violators. On the other hand, others stress on diplomacy and negotiation.

Social scientists Brine Grim and Roger Finke suggest that religious freedom is linked to the wellbeing of societies.⁶ Contrary to secularists' views, religious thoughts and actors can strengthen and expand ordered liberty. The social science data also shows the co-relation between religious freedom and social, economic and political goods.⁷ Swett (2013) while supporting religious freedom argues that religion can assume toxic forms and to counter religious extremism of some is by affirming religious freedom of all. While stressing that forces of religious extremism flourish in places where religious freedom is 'dishonoured or repressed', she highlights countries such as, Afghanistan, Saudi Arabia, Sudan and Pakistan,

⁵ Foundation cited Prominently in Taiwan Religious Freedom Declaration, (February 24, 2016), <http://religiousfreedomandbusiness.org/2/post/2016/02/foundation-cited-prominently-in-taiwan-religious-freedom-declaration.html> (accessed February 25, 2016).

⁶ Thomas F. Farr, "Diplomacy in the Age of Faith, Religious Freedom and National Security", *Foreign Affairs*, March-April, 2008, 87 (2), 115.

⁷ *Ibid.* 111.

as incubators of violent religious extremism.”⁸ The debates then, revolve around the types of states that guarantee these rights. The widely accepted answer found in the Western writings is that democratic society enjoys these rights.

Farr (2009) argues that the major schools of foreign policy, for diverse reasons, accept secularization as an appropriate approach to diplomacy. Modern realists see authoritarian regimes as partners in keeping the lid on radical Islam, and talk about religion as a drive to power. Liberal internationalists are suspicious of religion’s role in public life because they believe it is hostile to human rights and too divisive to contribute to democratic stability. Neoconservatives underscore American exceptionalism and the value of democracy, but most have paid little attention to religious actors or their beliefs.⁹

Pakistan today is passing through challenging times. Extremism and terrorism are the major threats at present to the national security. Pakistan has been criticised due to the cases of religious extremism and in this regard discrimination against religious minorities, laws like Blasphemy, Hudood Ordinances and the lack of democratic institutions and absence of meaningful democratic reforms. Although Pakistan is at war with extremists, recent instances of extremism have raised questions and renewed concerns about its commitment to the cause.

Moreover, the ‘long march’ movements of an opposition political party and a Canadian national cleric, besides other attempts, to derail democracy have greatly distorted the image of Pakistan in the comity of nations. Many quarters in the West believe that peace and stability in such an undemocratic society will be a distant

⁸ Katrina L. Swett. JFK’s Call for Religious Freedom Can Transform Places like Pakistan. (November 7, 2013). <http://www.csmonitor.com/Commentary/Opinion/2013/1107/JFK-s-call-for-religious-freedom-can-transform-places-like-Pakistan> (accessed, November 27, 2015).

⁹ Thomas F. Farr, “The Widow’s Torment: International Religious Freedom and American Security in 21st Century”, *Drake Law Review*, 57 (4), 853.

dream. The rise in incidents of intra and inter-religious clashes has not only contributed to religious extremism but also caused alienation between and among different faith communities inside the country and has effected Pakistan's relations with other countries.

Despite the Constitutional guarantees, it is expressed in USCIRF reports that oppression of religious minorities on many occasions goes unnoticed by the state of Pakistan. Also, the poor response to sectarian and religious motivated violence and the government of Pakistan's failure to protect religious minorities, its Islamic laws promulgated in previous decades, and the role of Madaris in ideological indoctrination, were highlighted in various annual report of the USCIRF.¹⁰

I. Statement of the Problem

The problem of definition of religious freedom and the lack of scholarship relevant to the Act in Pakistan leave some grey areas where it is not possible for Pakistan to defend its position in terms of religious freedom and democracy. Similarly, the state's response to the Act is unclear despite the efforts being made in the form of various Bills introduced to address the issues. Therefore, despite legislative arguments, it is yet to be seen whether the recommendations by the USCIRF to designate Pakistan as a CPC will have much impact on US policy towards Pakistan or not.

Pakistan, due to its strategic location holds an important position in the region and is an important country for the US because of its post 9/11 role in countering terrorism. Since 9/11, it is not only hit by a wave of terrorism, but religious intolerance and extremism towards minority groups have also increased. Having seen phases of military rule, various quarters in the US related religious intolerance and extremism to the failure of democratic institutions. Therefore,

¹⁰ The US Commission on International Religious Freedom Hearing on Religious Extremism in Pakistan, (March 2009), <http://www.uscirf.gov/images/transcript-final.pdf>(accessed, August 1, 2011).

freedom of religion is considered as crucial for democracy and vice versa.

It is also important to note that the status of and violence against religious minorities in Pakistan is seen in the prism of religious freedom. However, the case in point demands serious attention as, the US, despite always making claims of promoting democracy and eradication of extremism, has hardly shown any concern for democracy and has always supported military rule in Pakistan and similar authoritarian regimes in the Arab world. Infact it is a realist approach in foreign policy that ignores that religion is as much a mobilising political force as is economics, therefore it cannot be separated from politics. Farr argues, “many Americans see persecution as a humanitarian tragedy whose relationship to the US vital interests is vague at best. He claims that Americans are “realists” as they acknowledge the limits that the US is capable of achieving in a fallen world, even with deep resources, trained soldiers and diplomats, and the best of intentions.”¹¹ Therefore, it is argued that as long as there is mistrust about the US role in international affairs, it cannot achieve the desired goal in its foreign policy with regard to religious freedom and democracy promotion.

Scholars and policy makers have devoted much time and research to the case of democracy in Pakistan and the failure of the government in addressing the issues of persecution of religious extremism, however, gaps remain in the knowledge and understanding of this complex topic and the intersection of democracy and religious freedom. We cannot deny the fact that in any society, religious freedom is sine qua non for other freedoms, and that stands true in case of Pakistan. However, owing to its history of relationship with the neighbouring countries and the global environment of violent extremism, the combination of internal and external factors contributing to religious extremism and the national security cannot be ignored.

Therefore, this study highlights an important subject which will help policy making circles, academia and religious as well as secular

¹¹ Thomas F. Farr, *The Widow's Torment...*, 852.

scholars in designing policies that will improve the image of Pakistan as a responsible nuclear Muslim state. It will also benefit international academia and the US policy makers that a handful of religious bigots cannot hijack the policy making process.

II. Approach to the Study

An effort has been made to adopt an objective approach to the subject avoiding an idiosyncratic assessment as a Pakistani Muslim in favour of the issues concerned. The current study aims at analysing the intimate connection between religious freedom and democracy under the Act, and attempts to answer the arguments sketched in the IRFA country reports on Pakistan. It also, explores whether IRFA has had any direct or indirect impact on policy making or legislation in Pakistan vis-a-vis religious freedom and democracy promotion and the responses of the government to address the issues highlighted in various USCIRF reports.

This study proceeds in three stages. The first part, while introducing the subject, explores the scholarly studies on the definition of religious freedom considering the difference over its explanation and conception in the West and Muslim world and its connection with democracy. The second part of the study turns directly to the concerns of the US under the Act and the Annual Country Reports of USCIRF related to Pakistan. It examines the intellectual discourse on the Act, drawing on available debates on its merits and demerits. This part also looks at the scholarly deliberations on and the statements of concerned personalities in Pakistan and the US in favour or against the Act. The third part, while studying the Constitution of Pakistan, and in the light of various international treaties and Convention to which Pakistan is a signatory, evaluates in details the history of religious freedom under democratic and non-democratic setup and the history of democracy in Pakistan. It underscores the concerns raised by IRFA related to religious freedom and democracy promotion in Pakistan and the measure taken by the Government of Pakistan to address the issues of concern. Based on findings of the study, it presents recommendations and conclusion.

III. Methodology of the Study

This research follows mixed method strategy in which both qualitative and quantitative methods are used for an analysis of IRFA besides examining the case of religious freedom and flaws in the democratic system of Pakistan. Both primary and secondary sources are utilized. Primary sources include surveys, interviews and follow up interviews with personnel associated with IRFA, policy makers and Congressmen in the US, historical and legal documents, speeches, communications via email and Skype, statements and declassified official documents issued by the Governments of the US and Pakistan. The secondary sources include books, journals, periodicals, and newspapers, published and unpublished documents and statistical reports on the subject, as the readers will find it full of footnotes to the study's sources.

The study sets out to achieve the following objective in order to narrow down a very broad field of research revolving around IRFA policies of the US and its implication for Pakistan.

- To Evaluate IRFA and critically examine the USCIRF Country Reports that recommends to the State Department to designate Pakistan a CPC by comparing it with the ground realities and measures taken by the Government of Pakistan to address the issues of concern.

This work is an effort to find out the perception of Pakistanis regarding the issue of concerns in the study. The knowledge of university and Madaris students was assessed based on their views and an effort has been made to explore the in-depth details regarding prevalence of religious intolerance leading to violence and discrimination against religious minorities and their relation to the status of democracy in Pakistan. To compare attitudes towards these burning issues, survey forms were distributed among the students and faculties of Department of International Relation, Department of Islamiat, Department of Political Science and Department of History in Peshawar University, Balochistan University, Karachi University, International Islamic University Islamabad and Madaris from

different schools of thought in the country. The interviews conducted in this study are from the ulema, politician, prominent religious minority figures and academicians. The original plan was to interview 50/60 people, however, few were selected as others either declined or were unwilling to be interviewed. Therefore, it is asserted that the result of this research may give some indication of the views of the wider population.

Part – 1

Theoretical Framework

While recognising the role of religion in international affairs, the importance of religious freedom is evident by the mounting scholarships on the subject. Religious freedom in general parlance is freedom from coercion and interference in matter of faith. There is unanimity in the studies, suggesting that religious freedom is vital not only for the human growth but also for peace and stability of any society. It is thus, maintained, “the right of religious freedom is intrinsic to the human person, necessary for human flourishing and good for societies and their political order”. Furthermore, “religious freedom is a linchpin of the freedoms that limit the powers of the state, plant firm roots of democracy and enable it to last. lastly, religious freedom contributes to peaceful civil society, social stability, ethnic solidarity and national prosperity.”¹²

Defenders of the religious freedom most often seek to defend existing religious beliefs from the influence of the state. The ‘accommodationists’ (those who advocate the principle of accommodation), for example, Michael McConnell and Martha Nussbaum, tend to embrace a static view of religious freedom where they believe that the religious beliefs and practices by virtue of their religious values demand protection. On a static notion, the influence of the state policies that leads to changes in these beliefs are a clear encroachment on religious freedom.¹³

Since democracy has been marked as the top requirement for religious freedom, it is commonly believed that in the undemocratic governments, religious freedom and freedom of thought and expression are severely restricted and curtailed. Looking at it in this

¹² Timothy Samuel Shah, *Religious Freedom Why Now? Defending an Embattled Human Right* (New Jersey: The Whitherspoon Onstitute), 2012, i-ix & 19.

¹³ Corey Brettschneider, *A Transformative Theory of Religious Freedom: Promoting the Reasons for Rights*, *Political Theory*, 2010, 38 (187), 187-188

perspective, freedom of religion is the most important freedom and the basic human right in any state; therefore, it becomes the duty of state to protect this right of its citizens. Still, millions whether in democratic states or otherwise, do not enjoy this fundamental right; pivotal to this challenge is disagreement over the meaning of religious freedom between Muslim and non – Muslim or Western societies.

The scholarships available on the subject have drawn attention to the major problem of a persistent lack of consensus on the meaning, and foundation of religious freedom and its relation to other right as well as its association with democracy. Similarly, when democracy is discussed, it is believed to be a system that guarantees all rights including religious freedom. However, the disagreement most often found on the subject is that in Muslim societies religious freedom is curtailed because Islam and democracy are incompatible. Therefore it is important to explore the meaning of religious freedom, the connection between religious freedom and democracy and Western and Islamic perspectives on the subjects.

1) Meaning of Religious Freedom

Freedom of religion is the right of an individual or a community to adhere to one’s conscience, and the right to choose and practice ones religion without any interference, though it is understood and accepted differently in Muslim societies. The Holy Quran considers belief in God, the Creator and Sustainer, to be a human good in itself and the basis for sound religion, morality and ethics, therefore, the right to such belief should be protected by all means.¹⁴

Scholars of Islam are engaged in intellectual discourse on importance of religious freedom and argue that religious freedom is part and parcel of Islam. They support their arguments by citing Quranic verses and example from the life of the Holy Prophet. They hold the belief that ‘belief is necessarily freely chosen and human

¹⁴ Abdulah Saeed, *Islam and Belief: At Home with Religious Freedom*, USA: Zephyr Institute, 2014, 1.

imposition in matters of faith are contrary to the message of Quran”.¹⁵

According to Miraj, religions say that human are free. All the religion are same, the difference is in *Shariat*. All the prophet gave three points and there mission was one: towards monotheism, prophet hood, messenger ship, and life after. There was no religious persecution in the lives of any prophets in the sense that if no one was following them so they had to be killed. Hence, religion freedom means to come to the straight path and if other does not agree, s/he cannot be forcefully converted. Moreover, religious freedom is to practice ones own belief, affairs and life style according to his/her religion.¹⁶

Religious freedom is conceded in the *Dignitatis Humane* (1965) as, “to exercise all our rights with respect for the rights of others and for [our] own duties towards others and for the common welfare of all.”¹⁷ It is further acknowledged, “society has the right to defend itself against possible abuses committed on the pretext of freedom of religion.”¹⁸ It further says, “restrictions on the freedom to manifest one's religion and belief” must be non-discriminatory and “applied in a way that does not deny the right to freedom of thought, conscience, and religion”.¹⁹

¹⁵ Areej Hassan, “Arguments from Islam”, May 5, 2015, <http://tonyblairfaithfoundation.org/religion-geopolitics/commentaries/opinion/religious-freedom-arguments-Islam> (accessed January 12, 2016).

¹⁶ From Interview with Miraj ul Islam Zia on December 4, 2015 held at Peshawar.

¹⁷ Declaration on Religious Freedom *Dignitatis Humane* on the Rights of the Person and of Communities to Social and Civil Freedom in Matters Religious Promulgated by His Holiness, Pope Paul VI, December 7, 1965, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vatii_decl_19651207_dignitatis-humanae_en.html (accessed, January 18, 2016).

¹⁸ Ibid

¹⁹ Ibid.

Pell (2013) explains this freedom as being free to act on ones belief in public, to provide services that are consistent with the beliefs of the sponsoring religion and to engage employees who support the code of sponsoring religion.²⁰ According to Naeemi religious freedom means that, “the teachings of religion are not restricted in any sense and are completely adopted as they are.”²¹ Little explains it as, “religious freedom is the condition in which individuals or groups are permitted without restriction to assent to and, within limits, to express and act upon religious conviction and identity in civil and political life free of coercive interference or penalties imposed by outsiders, including the state”²².

2) Democracy and Religious Freedom

Paula and Aimé (2008) define democracy as a government by the people in which the supreme power is vested in the people and exercised directly by them or their elected representatives under an electoral system that is free. According to Becker and Raveloson the key principles of a democratic state are; fundamental freedom and fundamental rights, rule of law that guarantee the freedom of each individual and which allow participation in political life, separation of powers, democratic pluralism, government and the opposition, public opinion and freedom of the media.²³

Of these, democratic pluralism as explained is a large number of interest groups, political, economic, religious and ethnic or other, that get together freely are reciprocally in a state of competition for

²⁰ George Pell, “The Meaning of Religious Freedom and the Future of Human Rights”, August 23, 2013, <http://www.abc.net.au/religion/articles/2013/08/23/3832073.htm>, (accessed: January 18, 2016).

²¹ From Interview with Gulzar Naeemi, held at Islamabad on February 23, 2015.

²² David Little, Religious Freedom and Christianity: An Overview, (n.d.), <http://berkleycenter.georgetown.edu/essays/religious-freedom-and-christianity-an-overview>, (accessed January 12, 2016).

²³ Paula Becker and Jean-Aimé A. Raveloson, “What is Democracy?”, September 2008, 4 -15, <http://library.fes.de/pdf-files/bueros/madagascar/05860.pdf>, (accessed December 12, 2015).

influence on social and political life. A plural society is characterized by respect, acceptance and recognition of divergent views; and their dissemination, as well as their enforcement should not be faced with any obstacle. Pluralism is based on controversial debates, opinions, or ideas, the result of which are often built on compromises, thus satisfy or are acceptable to all the groups involved. All these have a constructive feature within the context of social processes of expression of ideas and political will of citizens, even if they are either contrary to or opposed to the regime in place or even closer to the opposition.²⁴

Empirical studies and works of sociologists show high statistical relationship between religious freedom and other freedoms that guarantee the longevity of democracy, including civil and political liberty, freedom of press and economic freedom. Religious freedom is also highly associated with overall human development and the absence of violent extremism.²⁵ Jennifer while supporting the argument, argues, “the [democratic] governments that respect religious liberty tend to respect other freedoms as well. Religious freedom is strongly related to political liberty, economic freedom, and prosperity. It is argued that wherever religious freedom is high, there exist better health outcomes, higher levels of earned income, better educational opportunities for women and fewer incidents of armed conflict.”²⁶

Since it is mostly the Muslim world that is termed as undemocratic and intolerant, limiting religious freedom for non-Muslims minorities, it is argued that the reformers in the Muslim

²⁴ Ibid., 12.

²⁵ Thomas F. Farr, “Is Religious Freedom Necessary for other Freedoms to Flourish”, August 7, 2012, <http://berkleycenter.georgetown.edu/essays/is-religious-freedom-necessary-for-other-freedoms-to-flourish>, (accessed, October 24, 2012).

²⁶ Jennifer A. Marshall, “Why Does Religion Freedom Matter?”, December 20, 2010, <http://www.heritage.org/research/reports/2010/12/why-does-religious-freedom-matter> (Accessed Januar 14, 2016).

world attempted, from time to time, to redefine and broaden traditional theological notions of religious pluralism and put their emphasis on equality of humanity but the major obstacle is the resistance that they face from conservatives and fundamentalists.”²⁷

However, it is important to understand the true voice of Islam and differentiate between true teaching of Islam and the perverted version projected by terrorist groups like ISIS. The Marrakesh Declaration (2016) stated: “as the Ku Klux Klan (KKK) and White Supremacist groups, that maintained to be based on Christian principles, are not labelled as Christian extremists by most American, so ISIS and other terrorist groups who act in the name of Islam should not be given the label of Islamic.”²⁸

a. A Western Perspective

Religious freedom is a universally acknowledged right enshrined in various international covenants and declarations. The United Nations Universal Declaration of Human Rights (UDHR) 1948, Article 18, International Covenant on Civil and Political Rights 1966, Article 18, European Convention for the Protection of Human Rights and Fundamental Freedom 1950 (ECHR), Article 9, Helsinki Final Act 1975, Principle VII, and UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief 1981, Article 1, all set forth the relevant provisions of international instrument concerning the protection of freedom of thought, conscience and religion.²⁹

²⁷ John L. Esposito. (2010). *The Future of Islam*. USA: Oxford University Press. pp. 175-76.

²⁸ Charles C. Haynes, “AT Morroco Summit: Muslim Leaders Stand up for Relious Freedom” *Religious Freedom Center*, February 3, 2016, <http://www.religiousfreedomcenter.org/at-morocco-summit-muslim-leaders-stand-up-for-religious-freedom/> (accessed March 2, 2016).

²⁹ For details see, International Human Rights Standards, Selected Provisions on Freedom of Thought, Conscience and Religion, <http://www.uscirf.gov/reports-briefs/human-rights-documents/international-human-rights-standards-selected-provisions> (accessed, February 8, 2016).

The provisions of the above mentioned conventions while articulating religious freedom, also includes ‘freedom to change one’s religion or belief’, on which various quarters of the Muslim world do not agree, are enshrined in a similar fashion in Article 18 of UDHR, which states:

Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.³⁰

It is to be noted that majority of the world governments have committed themselves through these covenants and agreements to respect and protect the fundamental right of the individual and communities to religious freedom within their respective borders. However, there are countries, which despite their commitments put restriction on the worship and seek to control thought and expression of minority religious groups. There are also instances where governments are silent in taking action against the perpetrators of religious discrimination.³¹ This statement can be judged in light of the recent events of religious extremism found around the globe where not only the Muslim world but also the Western world shares responsibility of limiting religious freedom in their respective countries.

Based on these Covenants and Declarations, the US supports this freedom as a universal right. Similarly an Amendment to the US Constitution (September 25, 1789) guarantees the rights of free expression and action as fundamental to democratic government. These rights besides others include freedom of religion. The government is empowered, however, to restrict these freedoms if expression threatens to be destructive. Arguments over the extent of

³⁰ http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf, 5, (accessed April 30, 2010).

³¹ Minhas M. Khan, “Evangelicals Influence on US Foreign Policy: Impact on Pak–US Relation (September 2001–November 20017)”, Unpublished Ph.D. Dissertation, (University of Peshawar: 2013).

the First Amendment on freedom have often reached the Supreme Court. The First Amendment to the US Constitution reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.³²

Similarly, the IRFA declared freedom of religion and conscience a top priority of the US foreign policy. Religious freedom in IRFA is very elaborately explained as:

In order to be just and stable, states must protect religious liberty for both individuals and religious communities. For an individual, this freedom includes the right to believe or not, to enter or to exit religious communities, to raise one's children in one's religious tradition, to persuade others that one's religious claims are true and that other should join one's religious community, and to engage in public policy debates on the basis of one's religious belief and practices. For religious communities, religious freedom includes inter alia the right to build house of worship, to train clergy, to establish and run religious schools, and to persuade others that the community's religious claims are true and that others should accept those claims and join the community.³³

The IRFA further defines five violations of religious freedom as:³⁴

Arbitrary prohibition on, restrictions of, or punishment for; first, assembling for peaceful religious activities such as worship, preaching, and praying, including arbitrary registration

³² Bill of Rights, http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html, (accessed November 2012).

³³ Thomas F. Farr & Dennis R. Hoover, "The Future of US International Religious Freedom Policy: Recommendations for the Obama Administration", (USA: Berkley Center for Religion, Peace and World Affairs, CFIA & IGE), 2009, , p. 15.

³⁴ Fact Sheet, ""What is Religious Freedom?", (August 17, 2011), <http://www.state.gov/j/drl/rls/fs/2011/170637.htm> (accessed, September 30, 2011).

requirements; secondly, speaking freely about one's religious belief; thirdly, changing one's religious belief and affiliation; fourthly, possession and distribution of religious literature, including Bibles and other sacred texts; and finally, raising one's children in the religious teachings and practices of one's choice.

When reviewing a country's state of religious freedom, IRFA looks for laws or policies that:³⁵

- Restrict the right to hold a religious belief;
- Limit the right to change religious belief;
- Restrict the freedom to have an allegiance to a religious leader;
- Disparage individuals or groups on the basis of their religion;
- Discriminates against religious persons in education, the military, employment opportunities or in health services;
- Require the designation of religion on passport on national identity documents, either overtly or in code;
- Restrict religious assembly
- Restrict religious expression

Analysing these definitions, one finds that a clear mention of religious freedom in the constitutions of majority of the Muslim countries. However, certain quarters in the Western societies argued that these countries have failed to advance this right, which leads to discrimination against religious minorities. It is also maintained that certain laws and policies of the Muslim states restrict religious freedom and the government generally enforces these restrictions.³⁶ The emphasis thus, is on the assumption that states restricting these rights are authoritarian in nature; therefore, democracy as a system of governance can play an important role in ensuring freedom of conscience, religion and belief.

³⁵ Fact Sheet, "What is Religious Freedom?"

³⁶ Minhas M. Khan, "Evangelicals Influence on US Foreign Policy..."

b. Compatibility of Islam and Democracy

It is argued that religious extremism in Muslim countries persists because there is no democracy. While associating democracy with religious freedom there are also debates that democracy is incompatible with Islam.³⁷ As Farr observed, “overall, most of the roughly seventy nations with the highest restrictions on religious freedom are non-Western, Muslim majority nations. Of all the religious groups subject to harassment, Christian came on top. They are harassed in 130 countries, with Muslim majority at 117.”³⁸

Negating this notion, there is a discourse among the scholars that Islam explains itself rather than explained by the West.³⁹ Muslim scholars state that democracy is compatible with Islam. In Islam, Muslims have the right to choose their own government and system of government. The Holy Prophet (PBUH) did not nominated his successor, which means he gave Muslims the right to choose their government the way they wanted.⁴⁰ It is in the Holy Quran:

“The affairs of the Muslims are run on the basis of their mutual consultation” (42: 38).

Moreover the life of the Holy Prophet (PBUH) is an example of how he took important decision through consultative process.⁴¹ In addition to this, it highlighted that an Islamic government would be established through their consultation in which everyone enjoy equal rights and all the decision are made through consultative process.⁴²

³⁷ Email Communication with Brian J. Grim, President of the Religious Freedom and Business Foundation, Berkley Center, Georgetown University, on February 16, 2016 .

³⁸ Thomas F. Farr. (May 2012). *Rising Threats to American Religious Freedom: Framing the Problem*. Retrieved: November 21, 2012, from <http://berkleycenter.georgetown.edu/rfp/publications/rising-threats-to-american-religious-freedom-framing-the-problem>

³⁹ Skype interview with Munnawar ul Hassan on February 24, 2016.

⁴⁰ From Interview with Madni, February 19, 2016.

⁴¹ Researcher’s interviews with Haq, Madni, Ahmad, Ghamidi, Ayaz...

⁴² From interview with Ghamidi...

Madni argues that democracy and human rights are excuses for the West to use against Muslims, the reality is that the West does not desire to see democracy in Muslim countries. For example, in Egypt a democratically elected government was removed and a military ruler was installed. Similarly in Pakistan the West has supported military as compared to civilian governments. Moreover, countries like Britain and France installed the despotic rulers of Arab countries after decolonization. Therefore it is the West that supports dictatorship in Muslim countries because it serves their interest. He further says that the most powerful monarchy in the Middle East was in Iran but the US supported it. The West knows that in democracy the majority will not support them.⁴³

The Western scholars believe that if democracy prevails, then all the factions of society can safeguard their interests easily. However, Naeemi, contradicting the idea, says that democracy, as a peacekeeper cannot be completely accepted. There is a great debate going on whether democracy has solved the world's problems or not. There are many Muslim countries, which have democratic governments. People believe that in dictatorship there is less violation of laws and constitution as compared to parliamentary democracy. He argues that democracy is more suitable for developed countries, because if democracy is the best form of government, why the problems of contemporary world cannot be solved.⁴⁴

Samdani while supporting the compatibility of democracy with Islam, argues that the fundamental difference between an Islamic government and a Western style government is that, in Islam the authority to rule is not a right but a responsibility, whereas in the West, it is declared as a right.⁴⁵ Zahid, while quoting a report

⁴³ From Interview with Madni, February 19, 2016.

⁴⁴ Interview with Naeemi...

⁴⁵ Ejaz samdani, "Second Dialogue" in, *Islam, Democracy and the Constitution of Pakistan Outcome of a Series of Dialogue among Prominent Pakistani Islamic Scholars*, (Safdar Sial, Ed), May 17, 2014, (Karach: PIPS), 42

published by Democracy International, which chalked out seven ingredients of democracy, explained its compatibility with Islam as:

First, the balance of power, which is exactly according to the aims of Shariah. It abolishes totalitarianism and monarchy. Second is the freedom of judiciary, which is also very much an Islamic concept. Third ingredient is pluralism, which is visible in Pakistan but only due to democracy. Because of this democracy we are freely expressing ourselves in this dialogue, a luxury that is not available in Saudi Arabia. The remaining four ingredients in the report are rule of law, accountability and transparency; a diverse, free and independent media; and the establishment of human and political rights. Therefore, I understand that we should look at these seven basic elements of democracy and compare them [with the aims of Shariah]... I believe that if our society is fully conscious and aware, the aims of the Shariah can be better achieved through democracy.⁴⁶

Muslim scholars also agree that the West has extracted fundamental concepts of democracy from Islam. Therefore, it can be said that democracy is the lost legacy of Muslims, which is in the hands of the Western countries at present.⁴⁷ Rashid negates the general perception that democracy began in Greece or from the French Revolution. He says that Islamic history and the manner in which the four caliphs of Islam were selected, exhibits the spirit of democracy.⁴⁸

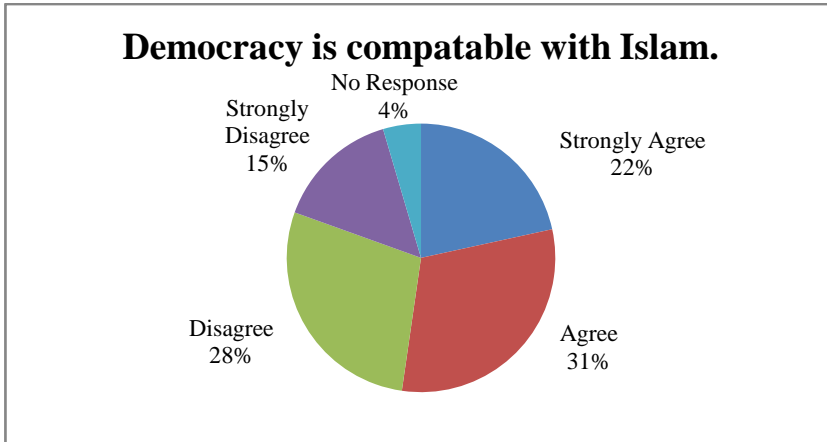
A survey conducted in public sector universities and Madaris of Pakistan, reflects the opinions of different respondents. Among them, 22 percent strongly agree and 31 percent agree that democracy is compatible with Islam whereas, 15 percent strongly disagree, 20 percent disagree and 04 percent did not respond to the question.

⁴⁶ Muhammad Zahid, *ibid*, 48-49.

⁴⁷ Younis Qasmi, *Ibid.*, 57-58.

⁴⁸ From Interview with Rashid Ahmad...

CHART – 1



On the issues of democracy, human rights and religious freedom, the Muslim world has criticized the US failure to address these issues at home. For example in 2011, the incident of arrests in the protests against the government in ‘Occupy Wall Street Movement’,⁴⁹ was a violation of civil and political rights. Moreover, the Human Rights watch reported that “international human rights treaties, such as, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Rights of the Child (CRC), Convention for the Protection of all Persons from Enforced Disappearance, Convention on the Rights of Persons with Disabilities (CRPD), Mine Ban Treaty, Convention on Cluster Munitions, Optional Protocol to the Convention against Torture, have yet to be ratified and only two, CEDAW and CRC have been signed by the US.”⁵⁰ Hence it is argued that the US imposes those values on other countries, which are violated by it.

⁴⁹ Heather Gautney, What is Occupy Wall Street? The history of Leaderless Movements, *The Washington Post*, October 10, 2011, https://www.washingtonpost.com/national/on-leadership/what-is-occupy-wall-street-the-history-of-leaderless-movements/2011/10/10/gIQAwkFjaL_story.html, (accessed, January 20, 2012)

⁵⁰ United States Ratification of International Human Rights Treaties. (July 2009). Retrieved: August 28, 2011, from

c. An Islamic Perspective

The Holy Quran is very clear about religious freedom:

“There is no compulsion in religion” (2:256) and in another Surah (Chapter).

It is further said:

And argue not with the People of the Book (Jews and Christians) unless it be (a way) that is better, except with such of them as do wrong; and say (to them): ‘We believe in that which has been revealed to us and revealed to you. Our God and your God is One, and to Him we have submitted (as Muslims). 29:46.

The Muslim scholars and philosophers stance on religious freedom is “in Islamic states all minorities and their social protection are the responsibility of the state. Secondly, the Prophet Muhammad’s (PBUH) life also illustrates religious freedom for minorities and accepting the right to religion, life and their property confirm that Allah and His Prophet are their guarantors.”⁵¹ It is important to mention that religious minorities in a Muslim society have a special status, who could live and practice their faith after they pay Jizya (a certain tax for religious minorities instead of other taxes meant for Muslims).

Madni argues that we as Muslims are not against religious freedom but disagreement is over the definition of religious freedom. We agree that every one has the right to follow his religion, but disagree with the conversion inherent in their definition of religious freedom. In Islam conversion is not allowed because in Quran and Sunnah it is said that anyone who changes religion is a *murtid* (apostate) and his punishment is death, it cannot be changed.⁵²

<http://www.hrw.org/news/2009/07/24/united-states-ratification-international-human-rights-treaties>

⁵¹ From interview with Qari Roohullah Madani. January 22, 2012.

⁵² From interview with Roohullah Madni, 2016

It is also argued that as in Western definition, religious freedom in Islamic society is that everybody is allowed to adopt or practice any religion. However in an Islamic society, and in Islam (also in the Constitution of Pakistan), Muslims are not allowed to renounce Islam, if a Muslim does, s/he will be considered excommunicated or *murtid* for which there is penalty and an entire procedure. So to certain extent there is religious freedom, but then to other extent there is prohibition for Muslims to renounce Islam.⁵³

⁵³ From interview with Prof. Dr. Qibla Ayaz held at Peshawar on January 29, 2016.

Part – 2

Pakistan: USCIRF Annual Country Report (2001–2015)

Freedom of expression, thought, conscience and religion is disturbingly being curtailed in many countries, not only in the Muslim countries but also the Western, around the globe. In these societies threats to the life and property of innocent people including religious minorities always persist.

The US has been accused of interfering in the internal affairs of other countries in the name of religious freedom and democracy promotion. Moreover, the inconsistency in the implementation of the IRFA in countries that are accused of violating religious freedom and the absence of democratic institutions has led to an assumption that the US is not serious about the issues. Various quarters in the West and the Muslim world criticize such behaviour and term it as double standards. It also increases doubt about lack of trust in the US and the fair implementation of the IRFA.

The USCIRF in its annual reports from 2001 to 2016⁵⁴ has consistently called on the State Department to designate Pakistan as CPC, however, the US government has not put Pakistan on the list and has to a great extent avoided raising human rights issues related to Pakistan as it is an important country in the region and more so because of its alliance in the Global War on Terror (GWOt). While each case mentioned, the following concerns were highlighted in all annual reports related to Pakistan:

- Greater attention and assistance to institutions in Pakistan that are crucial to its democratic development and reinforce rule of law, strengthening law enforcement, the judiciary, police and civil society;
- Combat Islamic extremism;
- Fighting extremism by ceasing government alliance with extremist groups.

⁵⁴ For details See, Annual Country Report from 2001 – 2015 at <http://www.uscirf.gov/reports-briefs/annual-report>

- Abuses of religious freedom and other human rights;
- Sectarian or religiously motivated violence and discrimination;
- Attacks against Shia Muslims, Christians, Hindus, Ahmadi minority and anti-Ahmadi legislation;
- Undemocratic nature of Pakistan's separate electorate system for religious minorities (in January 2002, this system was abolished, however Ahmadi remained separated and disenfranchised);
- Procedural changes to Blasphemy laws that will reduce and ultimately eliminate their abuse, the assassination of opponents of the laws was also highlighted;
- Hudood Ordinances;
- Action against militant religious groups and religious schools that promote violence
- Religious freedom concerns in Pakistani education; (the role of Madaris in ideological indoctrination and hate material in text books of public schools, a focus on tolerance and reforms in educations were highlighted).

All the country reports, from 2001 till 2016, criticise the Government of Pakistan's response to protect religious minorities and lack of will for democracy promotion and religious freedom.

Pakistan: Country Report – 2001

REPORT SUBMITTED TO THE
COMMITTEE ON INTERNATIONAL RELATIONS U.S. HOUSE
OF REPRESENTATIVES AND THE
COMMITTEE ON FOREIGN RELATIONS U.S. SENATE BY
THE
DEPARTMENT OF STATE
IN ACCORDANCE WITH SECTION 102 OF THE
INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998

The Government failed in many respects to protect the rights of minorities, due both to public policy and unwillingness to alienate

certain societal forces hostile to those that practice a different faith...However, discriminatory policies and legislation continue to cause problems for religious minorities. In the case of the Ahmadiya community, the Government discriminates by means of Constitutional and other legal provisions that prohibit members from practicing their religion. Members of religious minorities are relegated to a separate electorate system that, while originally intended to ensure minority representation, means that most members of Parliament have no accountability to minorities. The country's blasphemy laws frequently are misused to target religious minorities. The "Hudood ordinances" dictate that the legal testimony of religious minorities in certain cases such as rape does not carry the same weight as that of Muslims; this provision leaves minorities particularly vulnerable to acts of societal violence. Discriminatory religious legislation adds to an atmosphere of religious intolerance, which at times has contributed to acts of violence directed against Muslim groups, as well as against Christians, Hindus, and members of Muslim offshoot groups, such as Ahmadis and Zikris. Many people unjustly accused of blasphemy continue to remain in jail. Relations between different religious groups frequently were tense, and the number of deaths attributed to sectarian violence increased.

However, during this period, the report recognises that President Musharraf advocated greater tolerance between branches of Islam in society in his June 5, 2001 speech to a group of Muslim clergy and announced a ban on two violent sectarian groups and initiating a de-weaponising campaign. The report states that minorities' representation in parliament was ensured but members of religious minorities were relegated to a separate electorate system during Zia era in 1985, which meant that the lawmakers representing the majority had no accountability to minorities.⁵⁵

⁵⁵ Report submitted to the Committee on International Relations US House of Representatives and the Committee on Foreign Relations, US Senate by the Department of State in Accordance with Section 102 of the International Religious Freedom Act of 1998. See, Annual Report on International Religious Freedom 2001. p. xviii.

Pakistan: Country Report –2002

REPORT SUBMITTED TO THE
THE CONGRESS

BY

THE DEPARTMENT OF STATE
IN ACCORDANCE WITH SECTION 102 (b) OF THE
INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998

In its May 2001 annual report, the Commission recommended that the United States, in its bilateral relations with the Pakistani government, take the position that the separate electorate system for religious minorities is inconsistent with democratic principles. On a number of occasions, the Commission reiterated its recommendations to US officials and representatives of the Pakistani government. Commission staff also met with the new US ambassador to Pakistan. The Commission wrote President Bush in February 2002, on the eve of President Musharraf's state visit to the US, acknowledging the Pakistani government's progress on the above-noted issues and asking that President Bush raise religious freedom issues with the Pakistani leader during their talks.

The Commission in the report urged the State Department to monitor Pakistan and to respond vigorously in case of further violations there that may merit CPC designation. It is pertinent to mention an important recommendation of the USCIRF to State Department with regard to cooperation of those states in GWT that are recommended to be designated as CPC:

The US should not compromise its commitment to promoting human rights – including religious freedom – during the campaign against terrorism, and should not “trade-off” that commitment for the cooperation of foreign governments in that campaign. The US government must ensure that steps to improve relations with cooperating countries that have major problems protecting religious freedom and other human rights (e.g., China, Russia, Pakistan, Sudan, and Uzbekistan) do not undermine its human rights message to the governments of these countries. It should carefully monitor whether these steps are impeding progress on

improvements in protecting human rights.

Despite the accusation, the Commission acknowledged in this report that in 2002 General Musharraf allowed Christians, Hindus, Sikhs and other religious minorities to vote in a joint electorate but created a supplementary voter list for Ahmadis, which again was criticized by the USCIRF. Moreover, it said that the Government of Pakistan took action against militant religious extremist groups and Madaris to prevent them from promoting violence or possessing any type of weapons as recommended by the Commission. The Commission also recommended to the 2002 Foreign Operations Appropriation bill to allocate \$ 08 million to USAID for basic education program in Pakistan.

Pakistan: Country Report – 2003

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 ET SEQ., P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Pakistan suffers from considerable sectarian and religiously motivated violence, much of it committed against Shi'a Muslims by Sunni militants, but also against religious minorities such as Ahmadis and Christians. Over the past year, there has been an upsurge in anti-Christian violence, including fatal attacks directed against churches, a missionary hospital, and humanitarian organizations. Police protection appears ineffectual and although the Pakistani government did take some steps with regard to the recent attacks on Christians, no one has yet been successfully prosecuted for the killings. Perpetrators of attacks on minorities are seldom brought to justice. In its September 2002 letter to Secretary Powell, the Commission recommended Pakistan for CPC designation.

It was once again acknowledged in the report, by the Commission, that a few recommendations from 2001 report on Pakistan were implemented in 2002, one of which was the decision of joint electorate for minorities.

Pakistan: Country Report – 2004

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 ET SEQ., P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

The response of the government of Pakistan to persistent sectarian and religiously motivated violence in Pakistan continues to be inadequate. In addition, official government policies, such as the anti-Ahmadi and blasphemy laws, frequently result in imprisonment and other violations of freedom of religion or belief. The Commission continues to recommend that Pakistan be designated a CPC.

The report in a language similar to the previous ones criticised Pakistan violation of religious freedom, religious intolerance, sectarian and religious motivated violence, misuse and repeal of Blasphemy laws, Hudood Ordinance and Pakistan Madaris. It stated:

Successive governments have severely violated religious freedom in Pakistan. Discriminatory legislation has fostered an atmosphere of religious intolerance and eroded the social and legal status of religious minorities. Government officials provide fewer protections from societal violence to non-Muslims than to members of the majority Sunni Muslim community. Perpetrators of attacks on minorities are seldom brought to justice. Belated efforts to curb extremism through reform of Pakistan's thousands of Islamic religious schools appear to have had little effect thus far. Many of these schools continue to provide ideological training and motivation to those who take part in violence targeting religious minorities in Pakistan and abroad. Sectarian and religiously-motivated violence, much of it committed against Shi'a Muslims by Sunni militants, is chronic in Pakistan. Religious minorities such as Ahmadis and Christians have also been targeted by Sunni extremist groups.

However, the measures taken by the Government of Pakistan to improve the situation of religious minorities were recognised. In

2003, under the Anti-Terrorism Act –1997 (ATA), the Government of Pakistan banned three extremist groups promoting sectarian violence. These groups reorganised under new name included Millate–e–Islamia, Islami Tehreek Pakistan and Khuddamul Islam previously known as Sipah Sahaba, Tehreek–e–Jafariya and Jaish–e–Muhammad respectively. The top leaders of these groups were also detained with their offices closed and assets freezed. After their release, they were placed on “Schedule Four” of the ATA which among other limitations, allows the Government to restrict their movements in the country and monitor their activities.

Pakistan: Country Report – 2005

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

The response of the government of Pakistan to persistent sectarian and religiously motivated violence in Pakistan continues to be inadequate. In addition, official government policies, such as the anti-Ahmadi and Blasphemy Laws, frequently result in imprisonment and other violations of freedom of religion or belief. The Commission continues to recommend that Pakistan be designated a CPC.

Throughout 2004, the Commission continued to meet with representatives of the various religious groups in Pakistan, including Muslims, Ahmadis, and Christians, as well as with human rights organizations, academics, and other experts. Also in 2004, Commissioners received briefings from noted Pakistan experts on domestic developments in, and U.S. policy toward, Pakistan. The report further accused Madaris in Pakistan to have provided ideological training for some of those who went to fight in Kashmir,

Chechnya, and Afghanistan and many of them still do.⁵⁶ It is also pertinent to note that despite the accusation, the official spokespersons, from time to time, have been acknowledging Pakistan's support in fighting terrorism and extremism. Asked if the US was receiving 100 per cent cooperation from the countries to hunt down Osama, White House press secretary Scott McClellan said: "We are receiving good cooperation from the Government of Pakistan."⁵⁷

Pakistan: Country Report – 2006

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Sectarian and religiously motivated violence persists in Pakistan, and the government's response to this problem, though improved, continues to be insufficient and not fully effective. In addition, a number of the country's laws, including legislation restricting the Ahmadi community and laws against blasphemy, frequently result in imprisonment on account of religion or belief and/or vigilante violence against the accused. These religious freedom concerns persist amid the wider problem of the lack of democracy in Pakistan, an obstacle the current government has done little to address. The absence of any meaningful democratic reform has been exacerbated by the current government's political alliance with militant religious parties, which has served to strengthen these groups and give them influence in the country's affairs disproportionate to their support

⁵⁶ Annual Report of the United States Commission on International Religious Freedom, (May 2005), 116

⁵⁷ Anwar Iqbal, "Bush moves to defuse tension: Pakistan-Afghan row over terror war", Dawn, June 22, 2005 <http://www.dawn.com/news/144649/bush-moves-to-defuse-tension-pakistan-afghan-row-over-terror-war> (accessed, January 10, 2016).

among the Pakistani people. In light of these persistent, serious concerns, the Commission continues to recommend that Pakistan be designated a “country of particular concern,” or CPC.

Pakistan: Country Report – 2007

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Sectarian and religiously motivated violence persists in Pakistan, particularly against Shias, Ahmadis, Christians, and Hindus, and the government’s somewhat improved response to this problem continues to be insufficient and not fully effective. The current government’s political alliance with militant religious parties has served to strengthen such groups and give them influence in the country’s affairs disproportionate to their support among the Pakistani people. Substantial evidence that Musharraf’s government has been complicit in providing sanctuary in Pakistan to the Taliban also intensified in the past year. In addition, a number of the country’s laws, including legislation restricting the rights of the Ahmadi community and laws against blasphemy, frequently result in imprisonment on account of religion or belief and/or vigilante violence against the accused. These religious freedom concerns persist amid the wider problem of the lack of democracy in Pakistan, an issue the current government has done little to address. Proposals by President Musharraf to have the outgoing parliament elect him to another term as president have raised serious questions about whether the next parliamentary elections, scheduled to be held in 2007, will be free and fair. In light of these persistent, serious concerns, the Commission continues to recommend that Pakistan be designated a CPC.

Showing their concern about democracy in Pakistan, in a September op-ed in the Denver Post, Commissioners Chaput and Prodromou (2007) wrote:

The ability of Pakistan to build a sustainable democracy that is not a haven for terrorism depends on President Musharraf's willingness to change his own country's behaviour when it comes to human rights and religious freedoms. It means limiting abusive actions and over-broad punishments by extremists, not encouraging them.⁵⁸

Pakistan: Country Report – 2008

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Dramatic political events unfolded in Pakistan in the past year having a serious impact on the rule of law and human rights protections generally, though the consequences for religious freedom conditions remain unclear. Notwithstanding the upheaval, all of the serious religious freedom concerns on which the Commission has reported in the past persist. Sectarian and religiously motivated violence continues, particularly against Shi'a Muslims, Ahmadis, Christians, and Hindus, and the government's response continues to be insufficient and not fully effective. A number of the country's laws, including legislation restricting the rights of the Ahmadi community and laws against blasphemy, frequently result in imprisonment on account of religion or belief and/or vigilante violence against the accused. Moreover, despite some minor improvements, Pakistan's Hudood Ordinances, Islamic decrees introduced in 1979 and enforced alongside the country's secular legal system, provide for harsh punishments, including amputation and death by stoning, for violations of Islamic law. Finally, substantial evidence that the government of Pakistan has been complicit in providing sanctuary to the Taliban also mounted

⁵⁸ Annual Report of the United States Commission on Religious Freedom, (2007), 5.

in the past year. In light of these persistent, serious concerns, the Commission continues to recommend that Pakistan be designated a CPC.

A Washington Times op-ed while criticising Blasphemy laws, called on the US government:

... To press Pakistan to decriminalize blasphemy and to urge the Pakistani government to take more serious steps to combat Islamic extremism.⁵⁹

USCIRF Commissioners Leonard A. Leo and Nina Shea in 2008 annual report recommended to the US government that the military aid to Pakistan be curtailed, blaming that it has provided sanctuary to Taliban with out citing any proof.

Pakistan: Country Report – 2009

IN ACCORDANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 ET SEQ., P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Serious religious freedom concerns persist in Pakistan, due to continuing sectarian and religiously motivated violence and the government's inadequate response. The past year has seen the largely unchecked growth in the power and reach of extremist groups whose members are engaged in religiously- motivated violence in Pakistan and abroad. A number of the country's laws abridge freedom of religion or belief. Anti-Ahmadi legislation results in discrimination against individual Ahmadis and effectively criminalizes various practices of their faith. Anti-blasphemy laws have been used to silence members of religious minorities and dissenters, and frequently result in imprisonment on account of

⁵⁹ Annual Report of the United States Commission on Religious Freedom, (2008), 8.

religion or belief and/or vigilante violence. The Hudood Ordinances—Islamic decrees predominantly affecting women that are enforced alongside Pakistan’s secular legal system—provide for harsh punishments for alleged violations of Islamic law. Extremists have imposed a harsh, Taliban- style rule in the Swat Valley and neighbouring districts, with the acquiescence of provincial and Federal government authorities. The government of Pakistan also continues to promote the flawed —defamation of religions concept at the United Nations, which would violate the freedoms of religion and expression.

The United Nations passed a Resolution condemning “defamation of religion” as human rights violation, despite the opposition that it could be used to justify curbs on free speech in Muslim countries. The United Nations Human Rights Council adopted the non-binding text, proposed by Pakistan on behalf of Muslim countries, with a vote of 23 states in favour and 11 against, with 13 abstentions.⁶⁰

A ‘House Resolution 764’ was submitted to the Committee on Foreign Affairs in 2009, to repeal Blasphemy Laws and urged the Government of Pakistan to review other legislations that restrict the right to profess, practice and propagate religion or that constitutes discrimination on the basis of religion in order to bring Pakistani law into conformity with international human rights standards.⁶¹

⁶⁰ Laura Macinnis, “U.N. body adopts resolution on religious defamation”, March 26, 2009, <http://www.reuters.com/article/us-religion-defamation-idUSTRE52P60220090326> (accessed, January 12, 2016).

⁶¹ Resolution H. Res. 472 Presented to House of Representatives on September 23, 2009. <http://www.gpo.gov/fdsys/pkg/BILLS-111hres764ih/pdf/BILLS-111hres764ih.pdf> (accessed, September 17, 2012).

Pakistan: Country Report – 2010

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Systematic, on going, and egregious violations of freedom of religion or belief continue in Pakistan. Religiously discriminatory legislation, such as the anti-Ahmadi laws and blasphemy laws, foster an atmosphere of intolerance. Sectarian and religiously motivated violence is chronic, and the government has failed to protect members of religious minorities from such violence and to bring perpetrators to justice. Growing religious extremism threatens the freedoms of expression and religion or belief, as well as other human rights, for everyone in Pakistan, particularly women, members of religious minorities, and those in the majority Muslim community who hold views deemed un-Islamic by extremists.

The 2010 report also stated that the failure of the government to provide adequate protections to religious minorities from societal violence is due to undemocratic practices.⁶² It also criticised that foreign scholars and clerics are trained inside Pakistani Madaris who return to their native countries with a politico-religious ideology that explicitly promotes hatred and violence against non-Muslims.⁶³

Correspondingly, in August 2009 USCIRF communicated to the Special Envoy for Afghanistan and Pakistan, Ambassador Richard C. Holbrooke, urging him to support the efforts to remove Islamic laws, which would promote US national interest and human rights, particularly emphasizing on religious minorities in Pakistan, besides calling on the US government to pursue it.⁶⁴ The USCIRF recommended in its 2010 Report that Pakistan be designated a CPC.

⁶² Annual Report of the United States Commission on Religious Freedom, (2010), 92.

⁶³ Ibid., 84.

⁶⁴ Ibid., 1 and 25.

However, it was recognised that Pakistan People’s Party (PPP) government undertook positive steps to fight religious extremism and to protect religious minorities. The government appointed Mr. Shahbaz Bhatti, as the Federal Minister for Minorities in 2008 as a gesture of solidarity with religious minorities. Bhatti created “District Interfaith Harmony Committees” for inter and intra religious understanding and harmony. The report also acknowledged the appointment of a Christian jurist as the Judge of Lahore High Court in March 2009. At the time of the appointment there were no other Christians serving as judges in Pakistan). Moreover, a 05 percent quota in federal employment was announced for religious minorities. Similarly, May 28, 2009 was officially celebrated as the “Minority Solidarity Day, and August 11 was designated as annual “Minorities Day.”⁶⁵

Pakistan: Country Report – 2011

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228.

Pakistan continues to be responsible for systematic, ongoing, and egregious violations of freedom of religion or belief. Two high-profile members of the ruling party were assassinated during the reporting period for their advocacy against Pakistan’s repressive blasphemy laws. These laws and other religiously discriminatory legislation, such as the anti-Ahmadi laws, have created an atmosphere of violent extremism and vigilantism. Sectarian and religiously motivated violence is chronic, and the government has failed to protect members of the majority faith and religious minorities. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal leaders who incite violence. Growing religious extremism threatens the freedoms

⁶⁵ Ibid., 92.

of religion and expression, as well as other human rights, for everyone in Pakistan, particularly women, members of religious minorities, and those in the majority Muslim community, including those who hold views deemed un-Islamic by extremists. It also threatens Pakistan's security and stability.

The 2011 annual report was dedicated to the memory of Shahbaz Bhatti, the Federal Minister for Minorities Affairs, who was assassinated on March 2, 2011 by Taliban for advocating repeal of the Blasphemy laws. It is important to note that the concerns regarding the hate material in the textbooks of public schools and Madaris, as mentioned in the detailed report of 2011, was also highlighted by the National Commission for Justice and Peace (NCJP) in its report in May 2013, which says:

... discriminatory content against religious minorities was found in 22 Sindh and Punjab provincial textbooks for grades 1-10. These conclusions mirror USCIRF's 2011 study, which found that an alarming number of Pakistan's public schools and privately run *Madaris* devalue religious minorities in both textbooks and classroom instruction. Despite reforms, in August 2013, the Khyber Pakhtunkhwa Education Minister said they would return Quranic passages about jihad to the curriculum.⁶⁶

Like the past recommendations, the USCIRF again recommended that Pakistan be designated a CPC, but the State Department did not follow that recommendation.

Pakistan: Country Report – 2012

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228 and P.L.112-75.

The government of Pakistan continues to both engage in and

⁶⁶ Annual Report of the United States Commission on Religious Freedom, (2014), 77.

tolerate systematic, ongoing, and egregious violations of freedom of religion or belief. Pakistan's repressive blasphemy laws and other religiously discriminatory legislation, such as the anti-Ahmadi laws, have created an atmosphere of violent extremism and vigilantism. Sectarian and religiously-motivated violence is chronic, and the government has failed to protect members of the majority faith and religious minorities. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal leaders who incite violence. Growing religious extremism threatens the freedoms of religion and expression, as well as other human rights, for everyone in Pakistan, particularly women, members of religious minorities, and those in the majority Muslim community who hold views deemed -un-Islamicl by extremists. It also threatens Pakistan's security and stability.

[The Commission] noted the initiatives that the Pakistani government has undertaken in support of interfaith harmony; and criticized the blasphemy law and the defamation of religions resolutions that have come before the United Nations. The resolution also urged the US government to include a special working group on interfaith harmony and religious tolerance in US - Pakistan strategic dialogues; and urged the Pakistani government to reform the blasphemy laws, work with international partners to support UN resolutions promoting religious freedom and tolerance, and engage with international partners to ensure promotion of interreligious dialogue and the protection and promotion of religious freedom and related human rights for all people.

Though there was a democratic government in Pakistan during the reporting period, the Commission highlighted the weakness in the democratic setup of Pakistan. The USCIRF again recommended in 2012 that Pakistan be designated a CPC. On a positive note, the report underlined the measures taken by the government. After the assassination of Shahbaz Bhatti, his brother, Dr. Paul Bhatti was appointed as Special Adviser to the Prime Minister on Minority Affairs. In May 2009, the government announced a 05 percent minimum quota in federal employment for religious minority communities. The government decision to designate August 11 as an annual federal holiday, Minorities' Day, was acknowledged.

National Interfaith Council, convened in July 2010, and 124 District Interfaith Harmony Committees were established to promote understanding and tolerance among the different faiths, to promote religious tolerance through understanding in every district of Pakistan.⁶⁷

Under the 18Amendment to the Constitution, passed in 2010, 10 seats were created for religious minorities in the National Assembly and 04 seats in the Senate. It also required seats for non-Muslims in the provincial assemblies. Under the 18Amendment, the Ministry of Minorities Affairs was removed from the federal cabinet and devolved to the provinces. It also mentioned the government intention to create a National Commission for Minorities consisting of two representatives each from the Christian and Hindu communities, a Sikh, a Parsi and two Muslims. The Commission will review laws and policies brought to its attention for discrimination, investigate allegations of abuse, recommend actions to fully include minority religious communities into the life of Pakistan, and ensure that places of worship are protected.⁶⁸

The report acknowledged that in response to military operations against Taliban many acts of violence were perpetrated in the tribal areas of Pakistan near the Afghan border. Since 2009, military offensives there have met with some success, although military forces and Pakistani civilians have suffered significant casualties. The extremists have assassinated religious figures who worked with the government. Extremists, throughout the year, repeatedly attacked schools and mosques. Additionally, Peshawar High Court ordered to reopen a 160-year-old Goraknath Hindu temple in Peshawar for Hindus for the first time since independence. Furthermore, the Federal Government directed the National Database and Registration Authority (NADRA) to register Sikh marriages.⁶⁹

⁶⁷ US Commission on International Religious Freedom 2012 Annual Report , 120-130.

⁶⁸ Ibid., 120-30

⁶⁹ Ibid., 120-130.

Pakistan: Country Report – 2013

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228 and P.L.112-75.

The government of Pakistan continues to engage in and tolerate systematic, ongoing, and egregious violations of freedom of religion or belief. Sectarian and religiously motivated violence is chronic, especially against Shia Muslims, and the government has failed to protect members of religious minority communities, as well as the majority faith. Pakistan's repressive blasphemy laws and other religiously discriminatory legislation, such as the anti-Ahmadi laws, have fostered an atmosphere of violent extremism and vigilantism. Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal actors who incite violence. Growing religious extremism threatens Pakistan's security and stability, as well as the freedoms of religion and expression, and other human rights, for everyone in Pakistan.

The report also said that Pakistan represents the worst situation in the world for religious freedom for countries not currently designated as CPC by the US government. The USCIRF recommended in 2013 that Pakistan be designated a CPC, but this time again the State Department did not follow that recommendation.

Interestingly, during Prime Minister (PM) Nawaz Sharif's visit to the US from October 20-23, 2013, President Barack Obama acknowledged the significant progress in the bilateral relationship over the last year and noted its durable nature. Reiterating the strong relationship between the two countries, both the leaders stressed that the enduring partnership between the countries is based on the principles of respect for sovereignty and territorial integrity. They affirmed that friendship and close cooperation between the two countries and recalled their positive contributions to international

peace and security at crucial junctures.⁷⁰ Furthermore, President Obama also congratulated PM Sharif on the smooth democratic transition between two elected governments in Pakistan and termed it a landmark for the democratic institutions in Pakistan. It was acknowledged that both the US and Pakistan are committed to democracy, human rights, freedom, and respect for international law. He also thanked PM Sharif for Pakistan's positive role in defeating al-Qaeda. Both the leaders lauded the sacrifices of military personnel and civilians in the fight against terrorism and extremism.⁷¹

Pakistan: Country Report – 2014

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228 and P.L.112-75.

Pakistan represents the worst situation in the world for religious freedom for countries not currently designated by the US government as CPC. In the past year, conditions hit an all-time low due to chronic sectarian violence targeting mostly Shi'a Muslims but also Christians, Ahmadis, and Hindus. The previous and current governments failed to provide adequate protection or to arrest perpetrators. Also, Pakistan's repressive blasphemy laws and anti-Ahmadi laws are widely used to violate religious freedoms and foster a climate of impunity. USCIRF again recommends in 2014 that Pakistan be designated as a CPC.

The USCIRF criticised government response to the issue of religious freedom, including violence religious minorities. Moreover

⁷⁰ Joint Statement by President Obama and Prime Minister Nawaz Sharif, THE White House Office of the Press Secretary, October 23, 2013, http://islamabad.usembassy.gov/st_102413.html, (accessed December 22, 2015).

⁷¹ Ibid

the country's Islamic laws, the undemocratic institutions were once again highlighted.⁷² The report further says, "when governments enforce such laws that stifle religious freedom, they embolden extremists to commit violence against perceived transgressors. In Pakistan, such codes fuel extremist violence threatening all Pakistanis, but particularly Christians and Ahmadi Muslims."⁷³

Pakistan: Country Report – 2015

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998,
22 U.S.C. 6401 *ET SEQ.*, P.L. 105-292, AS AMENDED BY P.L.
106-55 AND P.L. 107-228 and P.L.112-75.

Pakistan represents one of the worst situations in the world for religious freedom for countries not currently designated by the US government as CPC. In the past year, the government grappled with a challenging security environment and initiated efforts to fight the Pakistani Taliban. However, despite these efforts, Pakistan continued to experience chronic sectarian violence targeting Shi'a Muslims, Christians, Ahmadi Muslims, and Hindus. Despite positive rulings by the Supreme Court, the government failed to provide adequate protection to targeted groups or to prosecute perpetrators and those calling for violence. Pakistan's repressive blasphemy laws and anti-Ahmadi laws continue to violate religious freedoms and to foster a climate of impunity. USCIRF again recommends in 2015 that Pakistan be designated a CPC, under the IRFA, as it has recommended since 2002.

Contrary to this report, President Obama said that Pakistan disrupted terror plots against the US. Vice President Joe Biden also lauded Pakistan role in fighting terrorism. Similarly, US

⁷² Annual Report of the United States Commission of International Religious Freedom, (2014), 113

⁷³ Annual Report of the United States Commission of International Religious Freedom, (2014), 3.

Senator Tim Kaine told media in Washington that Pakistan is sincerely taking action against terror outfits in North Waziristan and other parts of the country, adding that extremist organisations are now facing tough pressure from the government.⁷⁴

Pakistan: Country Report – 2016

PREPARED IN COMPLIANCE WITH SECTION 202(A)(2)
OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF
1998 (IRFA),
22 U.S.C.6401 ET SEQ., P.L. 105-292, AS AMENDED BY P.L.
206-55, P.L. 107-228,
P.L.112-75, AND P.L. 114-71.

The introduction of 2016 country report starts with these words:

By any measure, religious freedom abroad has been under serious and sustained assault since the release of our commission's last Annual Report in 2015. From the plight of new and longstanding prisoners of conscience, to the dramatic rise in the numbers of refugees and internally displaced persons, to the continued acts of bigotry against Jews and Muslims in Europe, and to the other abuses detailed in this report, there was no shortage of attendant suffering worldwide.

The report mentions the USCIRF concerns over Pakistan as:

USCIRF recommends that the U.S. government should: Designate Pakistan as a CPC for engaging in and tolerating systematic, ongoing, and egregious violations of freedom of religion or belief; As a consequence of CPC designation, work to reach a binding agreement with the Pakistani government on steps to be delisted and avoid Presidential actions; such an agreement should be accompanied by U.S.-provided resources for related capacity

⁷⁴ Pakistan moving away from terrorism under Nawaz: US, The Express Tribune, November 2, 2015, <http://tribune.com.pk/story/983723/pakistan-moving-away-from-terrorism-under-nawaz-us/> (accessed January 12, 2016).

building through the State Department and USAID mechanisms; Press the Pakistani government to implement its Supreme Court's decision to create a special police force to protect religious groups from violence and actively prosecute perpetrators, both individuals involved in mob attacks and members of militant

In early 2016, USCIRF released a new report that said:

“Teaching Intolerance in Pakistan: Religious Bias in Public Textbooks,” a follow-up to its 2011 study, “Connecting the Dots: Education and Religious Discrimination in Pakistan.” The 2016 report found that while 16 problematic passages outlined in the 2011 report were removed, 70 new intolerant or biased passages were added.⁷⁵

Criticism on IRFA

Having gone through the IRFA reports, the study finds a similarity in the language of criticism on the issues of concern in all the report. Many of these reports, however, acknowledge the measures taken by the Government of Pakistan to fight terrorism, religious extremism and in addressing the grievance of religious minorities.

Religious intolerance towards minorities is not acceptable to all and has become a pressing concern both in the West and the Muslim world. Having said that, the US concern about religious freedom and democracy through IRFA is perceived to be related to religious persecution only in the Muslim world. This is, however, not true as the US is as much concerned about the Tibetan Buddhist monk treatment and Muslims and Christian minorities in China, Christians who were slaughtered by Hindu extremists in India's Orissa province.⁷⁶ Similarly, in Burma, the incidents of violence between

⁷⁵ http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_2_Pakistan.pdf, 4.

⁷⁶ Thomas F. Farr, “The Widow’s Torment: International Religious Freedom and American Security in 21st Century”, *Drake Law Review*, 57 (4), 852.

Buddhists and Rohingya Muslims in Rakhine region, the US has taken notice of Muslim massacre. Both countries are listed as CPCs.

However, the IRFA is criticized in many quarters of the Western quarters and Muslim world. There is criticism on the inconsistency and enforcement of IRFA by the US administration. It is argued that there is a biased treatment of few states, for example, Israel has been ignored with regard to religious persecution.⁷⁷ It is also believed that the administration has not been successful in promotion of religious freedom due to inconsistent and imbalanced treatment of CPC.⁷⁸

The Muslim scholars stress that the US should consider the restraints in terms of religious freedom in IRFA. Although the US is the harbinger of religious freedom in the world, yet the Christian leaders would use this leverage to spread Christianity in the Muslim countries.⁷⁹ Moreover, many of IRFA clauses are believed to be in conflict with Islamic laws therefore it needs evaluation. Scholars in the 19th World Congress of International History of Religions held in March 2005 in Tokyo advocated for “changing the existing formulation of the freedom of religion clause in the UDHR believing that it favours those religions that proselytize.”⁸⁰ The counter argument of the US administration in response to criticism on IRFA is that religious freedom is a universally acknowledged right enshrined in various international covenants and declarations.

Various scholars view the record of IRFA on religious freedom and democracy as mixed, lacking consistency in the system’s progress. The supporters of the Act generally believed that it could help in promoting liberal democracy and civil society. The concept that religious extremism is nurtured in authoritarian and

⁷⁷ Lauri Cozad. (2005). op.cit., pp. 66-7.

⁷⁸ Thomas F. Farr & Dennis R. Hoover. (2009). *The Future of US International Religious . . .* pp. 17-8.

⁷⁹ From interview with Qari Roohullah Madani held at Peshawar on January 22, 2012.

⁸⁰ A. Rashied Omar. (August 2006). *The Right to Religious Conversion: Between Apostasy and Proselytization*. Occasional Paper. Kroc Institute, p. 3.

undemocratic societies leads to “the fear that exists in the US that Islamic extremism is a threat to its national security.”⁸¹ In this scenario, it is maintained, “ the US policies have been often based on the belief that the only fruitful solutions to Islamic extremism are either democracies that send Islam to the private sphere or authoritarian governments that control religion. However, such policies have proven at best ineffective.”⁸² Therefore, Philpott (2009) argue, “ a policy of greater pressure towards democratization, the inclusion of religious freedom in democratization, and the constructive engagement of religious actors might well promote democracy, stability, and the reduction of terrorism better than an unreflective presumption for alliances with the authoritarian regimes who suppress their religious citizens.”⁸³

The US is also criticised for its support to dictators like Hosni Mubarak, Saddam Hussein and Pervez Musharraf whose countries were listed in various USCIRF reports as supporting the Islamic extremists but who themselves had secular views. Similarly, the US simply ignored the human rights violation in Indian held Kashmir, China’s violation of human rights in Tibet and so on, but supported the above mentioned leaders’ stance on terrorism simply because there were Muslims involved.⁸⁴

Many quarters within the Muslim world see IRFA as an attack on their religious traditions or a threat to communal identity. It is also seen as cultural imperialism designed to undermine a majority of religious communities by foreign states. Moreover, there are objections in the Muslim world on the right to freedom of

⁸¹ Thomas F. Farr. (May 2006). *The Diplomacy of Religious Freedom*. <http://www.firstthings.com/print/article/2008/02/003-the-diplomacy-of-religious-freedom>, (accessed February 24, 2010).

⁸² Thomas F. Farr & William L. Saunders, Jr., “The Bush Administration & America’s International Religious Freedom Policy”, *Harvard Journal of Law & Public Policy*. 32 (3), Summer 2009, 965.

⁸³ See Daniel Philpott, Report of the Georgetown Symposium on Religion, Democracy & the Foreign Policy of the Obama Administration, November 3, 2009, 14.

⁸⁴ Khan, “Evangelicals Influence on US Foreign Policy...

expression enshrined in IRFA⁸⁵ as it upsets the religious feelings of Muslims. There are also debates that the US designates a country as a CPC on the reports testified by NGOs and media, which are rarely subjected to verification. Furthermore, it is maintained that regardless of the religious, cultural, economic and political realities and differences, the US shows no respect for the religious practices of other faiths and impose its own values and standards.⁸⁶

Muslim scholar highlighted that IRFA enforcement is not feasible in Muslim countries as far as right to conversion is concerned because religious conversion is not acceptable in Islam. A Muslim or Islamic state cannot force a non-Muslim to convert to Islam, but a Muslim cannot renounce Islam.⁸⁷ Lastly, Hendi believe that the IRFA can be beneficial if it is mobilized in the right way and that is when it pushes for the freedom of every religion in every way on equal footing. The political mobilization of IRFA is not good and it can quite possibly create more trouble.⁸⁸

⁸⁵ For example, ‘Satanic Verses’, the book written by Salman Rushdie and the recent examples of the Danish cartoons caricaturing the Holy Prophet in 2005 and 2006, the blasphemous movie ‘Innocence of Muslims’ produced by an Israeli American were termed as freedom of speech and expressions by many quarters in the West.

⁸⁶ Khan, “Evangelicals Influence on US Foreign Policy...”

⁸⁷ From interview with Qari Roohullah Madani. 2012

⁸⁸ From interview with Imam Yahya Hendi held at Washington DC on June 25, 2010.

Part – 3

Situation in and Responses from Pakistan

This section of the study attempts to review the concerns indicated in the Country Reports of USCIRF. The Commission in its annual reports, while highlighting religious freedom and democracy promotion, associated sectarian and religious extremism, violence against religious minorities, the misuses of Blasphemy laws, and role of Madaris in ideological indoctrination with absence of, or weak democratic institutions in Pakistan. Moreover, the government of Pakistan is criticised for its response to address these issues can be found in these reports.

A review of Pakistani politics shows that religious freedom is protected by law and guaranteed in the Constitution of Pakistan. The founding father Quaid-e-Azam Muhammad Ali Jinnah envisioned a state that represents all communities, enjoying equal rights and a role in policy making. Similarly, in a Resolution adopted at the first meeting of the Council of the Pakistan Muslim League in December 1947, the vision of a democratic and progressive future was articulated as, “to work for an ideal democratic state based on social justice, as an upholder of human freedom and world peace, in which citizen will enjoy equal rights and be free from fear, want and ignorance”.⁸⁹ So, the question is, in the presences of legal documents, the vision of a peaceful democratic society envisaged in the Act, what are the weaknesses that has made Pakistan a concern for the USCIRF that urges the State Department to designate Pakistan as a CPC.

Religious Freedom and Democracy in the Constitution of Pakistan

In the contemporary writings, there are disputed and supportive arguments on the ‘two nations theory’ that led to creation of Pakistan. Pakistan was created for Muslims to live freely without

⁸⁹ Shamshad Ahmad. Our Experience with Democracy. The Daily News. (October 11, 2011).

any discrimination alongside religious minorities. However, the critiques of two-nation theory argue that its creation was based on theological considerations.

Bajoria (2011) maintains that since Pakistan's inception, Islam has been the cementing force creating a national identity in a state, which, otherwise, stands divided along ethnic, provincial, cultural, religious, class, and linguistic lines.⁹⁰ The opinion of few is based on the view that Islam was imposed to hold together an artificially constructed nation of feuding ethnic groups.⁹¹ It is also believed that the introduction of Objective Resolution has segregated religious minorities from the majority population. It has led to differing opinions, some suggesting that religion should be part of an Islamic polity, and others defend secularism pertinent to any vibrant society. Ghamidi in one of his essays states: "it is baseless to think that a state also has a religion and there is a need to Islamize it through Objective Resolution and that it must be constitutionally bound to not make any law repugnant to the Quran and Sunnah".⁹²

Since there exist difference of opinions on Objective Resolution, few believe that there should not be a relationship between religion and state as envisaged in the Constitution since it creates a feeling of second rate citizens among the religious minorities.⁹³ Ghamidi opines that when in a Muslim society anarchy is created on the basis of religion, then the solution to this situation is not the advocacy of secularism but in presenting a counter narrative to the existing narrative on religion.⁹⁴ While challenging this idea, Mufti Taqi

⁹⁰ Jayshree Bajoria. (2011, May 05). *Islam and Politics in Pakistan*. Retrieved August 18, 2011, from, <http://www/cfr.prg/pakistan/islam-politics-pakistan/p24728>

⁹¹ Robert D. Kaplan. (2001). *Soldiers of God: With Islamic Warriors in Afghanistan and Pakistan*. New York: Vintage Books, p. 109.

⁹² Shehzad Saleem, ""Islam and State: A Counter Narrative", Selected Essays of Javed Ahmad Ghamidi, (Lahore: Al-Mawrid), 148-159.

⁹³ Skype Interview with Javed Ahmad Ghamidi on January 2, 2016.

⁹⁴ "Islam and State: A Counter Narrative", (The News: January 23, 2015)

Usmani described it as advocacy of secularism instead of religious counter narrative, which misplaced the Objective resolution.⁹⁵

Another opinion is that this concept was promoted that it was segregation of religious minorities, infact it was segregation of Islam, because they segregate Muslims from the rest of the communities.⁹⁶ However, at present, non-Muslims reject the term minority used for non-Muslims as and is strongly condemned by them and they do not consider themselves so in their own country.⁹⁷ Similar views were expressed by Amir Jamaat-e-Islami, Siraj ul Haq, “I have opposed the use of the term minority at the Assembly floor as it causes frustration – they are Pakistani biradari (brotherhood).

It is important to mention Jinnah’s speech on the inauguration of the Constituent Assembly on September 11, 1947 that spells out the spirit of nationhood as, “you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not in religious sense because that is the personal faith of each individual, but in the political sense as citizens of the state.”⁹⁸ Jinnah’s address is often quoted by some quarters as a principal de jure policy statement of the founder. It is termed as ‘Magna Carta’ of Pakistan declared by Jinnah who was most highly qualified authority to spell out the raison d’être of Pakistan.”⁹⁹

It is pertinent to mention that Jinnah in a talk to Americans very emphatically said that Pakistan is not going to be a theocratic state. Moreover, the white portion of Pakistani flag also reflects the 25

⁹⁵ “Islam and State: A Counter Narrative”, (The News: January 23, 2015)

⁹⁶ Interview with Bishop Humphrey Sarfaraz Peter on February 19, 2016.

⁹⁷ The researcher’s interviews with prominent non-Muslim figures, for example, Humphrey Sarfaraz Peter, Bishop of Peshawar Diocese, Ramesh Singh Arora, representing Sikh community as a Member Provincial Assembly of Punjab, Ramesh Kumar Vankwani, Member National Assembly from Sindh.

⁹⁸ Shazia Hasan, “Quaid’s Aug 11 Speech to be Included in School Curriculum”, Dawn, Mach 24, 2015.

⁹⁹ Muhammad Imtiaz Zafar, “Can Pakistan be a Secular State?” *South Asian Studies*. 28 (1). P. 165.

percent of religious minorities that supported the creation of Pakistan.¹⁰⁰ From the quoted speech of Jinnah, it can be gauged that he wanted religious freedom for all and there was no distinction between a Muslim and non-Muslim in terms of rights, privileges and responsibilities.¹⁰¹ However, after the death of Jinnah, religious rights were distorting his words and in some instances there was a deliberate attempt to censor this famous speech.¹⁰²

It is also argued that the textbooks in schools and universities of Pakistan teach that Pakistan is an ideological state created for Islam. Even decades after of its independence, many quarters are arguing that Pakistan is finding it difficult to determine its identity. The statement of Jinnah is quoted that Pakistan is liberated to become a laboratory of Islam.¹⁰³ Moreover, giving a distorted picture of Jinnah's interfaith legacy sowed the seeds of ignorance for the future generations in the textbooks of Pakistan. Therefore, it is argued that textbooks falsely presented the idea of Pakistan as an Islamic republic as Jinnah's vision for the country.¹⁰⁴

The problem is the deviation from the ideology defined by Jinnah, which according to certain quarters, has led to a clash not only amongst Hindu, Sikhs and Muslims but also among different sects of Islam. This transformation in fighting has become a serious issue at present, which is questioned in the West. Whereas some argue that poverty and the economic status of the masses, on many times leads to the clash of religions and civilizations.¹⁰⁵

¹⁰⁰ From Interview with Bishop Humphrey Sarfaraz Peter on February 18, 2016 in Peshawar.

¹⁰¹ A H Nayyar, Stop Distorting Jinnah's Words, *The Express Tribune*, August 13, 2013.

¹⁰² Bina Shah, Reviving an interfaith legacy, November 7, 2013, http://www.nytimes.com/2013/11/07/opinion/shah-reviving-an-interfaith-legacy.html?_r=0 (accessed November 15, 2013).

¹⁰³ Muhammad Imtiaz Zafar. (June 2013). Can Pakistan be a Secular State? *South Asian Studies*. 28 (1), 165.

¹⁰⁴ Nayyar, n 8 above.

¹⁰⁵ From Interview with Arora...

Having said that, the Constitution of Pakistan is the foundation of all acts and laws in the state. No law ultra vires to the Constitution can be passed in Pakistan. Thus, all other laws and acts are subservient to the Constitution. The freedom of religion is guaranteed under the Constitution of the Islamic Republic of Pakistan and this freedom is guaranteed to all individuals regardless of their religion or sect. Naeemi stated that Pakistan is a multi-religious society, hence, there should not be any restrictions on the rituals and norms of religious minorities as enshrined in the Constitution. However, those rituals and actions by the non-Muslims, which affect the state of Pakistan or are in contradiction to Islam, should be avoided.¹⁰⁶

To this end, the Preamble of the 1973 Constitution says: a) Wherein the State shall exercise its powers and authority through the chosen representatives of the people; b), wherein the principles of democracy, freedom, equality, tolerance and social justice, as enunciated by Islam, shall be fully observed; and c), wherein adequate provision shall be made for the minorities freely to profess and practice their religions and develop their cultures.¹⁰⁷ Article 20 of the Constitution of Islamic Republic of Pakistan relates to freedom to profess religion and to manage religious institutions. It reads as, “a), every citizen shall have the right to profess, practice and propagate his religion; and b), every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions.”¹⁰⁸ According to Article 19, freedom of speech is constitutionally, “subject to any reasonable restrictions imposed by law in the interest of the glory of Islam.”¹⁰⁹

According to Ahmad (2014), as far as the state system of Pakistan is concerned, Article 1 of the Constitution declares Pakistan as an ‘Islamic Republic’ and Article 2 declares Islam as the state religion and its sub-clause F says that Islamic principles of

¹⁰⁶ From interview with Naeemi

¹⁰⁷ Preamble of the Constitution of the Islamic Republic of Pakistan, April 12, 1973.

¹⁰⁸ Constitution of the Islamic Republic of Pakistan, Article 20.

¹⁰⁹ Constitution of the Islamic Republic of Pakistan, Article 19.

democracy, freedom, justice and fairness will be followed in Pakistan, indicating that the Constitution advocates democracy. State, parliament, and legal status of voters are some of the accessories of present day democracy. Thus the Constitution grants religious freedom to all the citizens of the country. Moreover, Article 62 and 63 of the Constitution describe qualifications or attributes of people to be elected to the parliament.¹¹⁰ Vankwani however says that despite constitutional guarantees the religious minorities do not enjoy rights in reality, for example a non-Muslim can be the President, Prime Minister or Governor. He further says that in recent past in Sindh Assembly the nomination of a Hindu Speaker Assembly spurred great debate and arguments.¹¹¹

Moreover, there is criticism that in practice the government imposes limits on freedom of religion and on freedom of speech. A report prepared by Congressional Research Center focused on various issues by concluding, “Pakistan is setting for serious perceived human rights abuse, some of them perpetrated and/or sanctioned by the state. Kronstadt in a report (2011) criticised that the Pakistani government is known to limit freedoms of association, religion, and movement, and to imprison political leaders.”¹¹²

Similarly Huffington Post in its 2011 write-up criticised the government restrictions on religion and social hostilities.¹¹³ Another report by the Pew Research Center issued two Indices based on statistics from the years 2007–2012 and placed Pakistan at the highest level of the Government Restrictions Index (GRI) and the

¹¹⁰ Rashid Ahmad, “Second Dialogue” in, *Islam, Democracy and the Constitution of Pakistan Outcome of a Series of Dialogue among Prominent Pakistani Islamic Scholars*, (Safdar Sial, Ed), May 17, 2014, (Karach: PIPS), 79

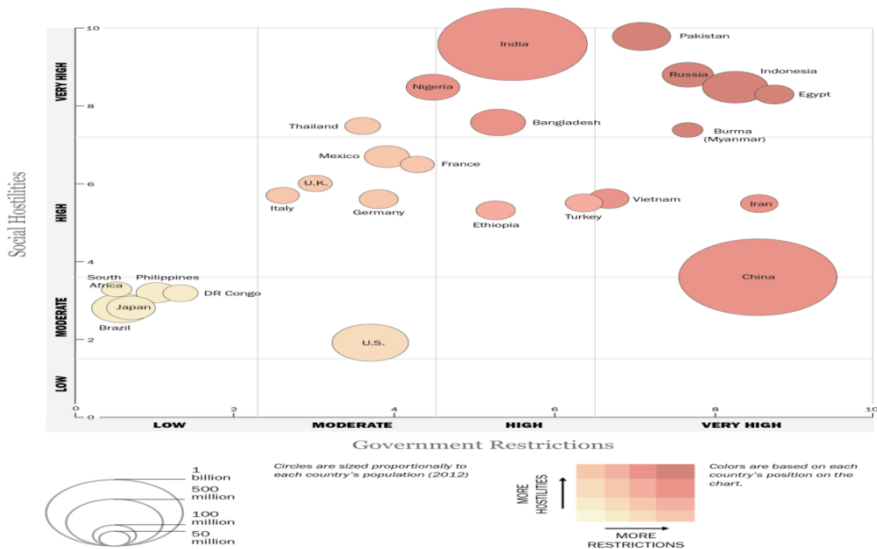
¹¹¹ From Interview with Vankwani

¹¹² K. Alan Kronstadt, “Pakistan: Key Current Issues and Developments”, (CRS Report for Congress, January 13, 2011), 73.

¹¹³ Jaweed Kaleem. Religious Minorities In Islamic Pakistan Struggle but Survive Amid Increasing Persecution. (2014), http://www.huffingtonpost.com/2014/02/10/religious-minorities-pakistan_n_4734016.html(accessed, August 12, 2015).

Social Hostilities Index (SHI).¹¹⁴ The following figure shows the countries report compiled by Pew forum, identifying the GRI and SHI at different level. The score in the figure are for calendar year 2012.

Figure – 1



Source: The Pew Research Center

The rising violence against religious minorities has remained a priority of the government. In response to situation of minorities, the landmark judgement of the Supreme Court of Pakistan on June 19, 2014 issued directives to the government to take concrete steps to mainstream them.¹¹⁵ Efforts to reduce tension and encourage religious pluralism include: giving new authority to the National

¹¹⁴ Religious Hostilities Reach Six Years High. (January 14, 2014). <http://www.pewforum.org/files/2014/01/RestrictionsV-full-report.pdf> (accessed, November 15, 2014).

¹¹⁵ Supreme Court of Pakistan, ‘Suo moto Actions Regarding Suicide Bomb Attack of 22.9.2013 on the Church in Peshawar and Regarding Threats Being Given to Kalash Tribe and Ismailies in Chitral’, June 19, 2014, http://www.supremecourt.gov.pk/web/user_files/File/smc_1_2014.pdf (accessed January 10, 2016).

Commission for Minorities, creating Ministry of Minority Affairs, development of the draft of National Human Rights Policy Framework, establishment of National Commission for Human Rights and approval of Action Plan on Situation of Human Rights on February 13, 2016 by the Prime Minister of Pakistan. The Action Plan consists of six major areas with about 60 actions for protection and promotion of human rights in the country. Besides others, the protection of rights of women, children, minorities and persons with disabilities has been given priority.¹¹⁶

Unfortunately, the association of the worsening situation to lack of will on the part of the government has generated debates that “despite the efforts of rejecting fundamentalist hijacking the country in the name of Islam, there are signs that extremist elements may be growing stronger. The government is seen by some quarters as having caved into their pressure by amending the Constitution to introduce more Islamic laws. However, it is also a fact that the public has resoundingly rejected religious political parties in every general election except in 2002 general elections.”¹¹⁷ Various studies identify that religious extremism, violence and intolerance increased in Pakistan after alliance with the West in Afghan wars, which is discussed in the succeeding paragraphs.

Criticism on Democratic Institutions

There are concerns about the lack of democratic institutions in Pakistan due to phases of military rule, which has led to US concerns about it. Seen in view of IRFA, absence of democracy or its instability has been associated with the government failure to address religious extremism, protect religious minorities and lack of

¹¹⁶ For details, see, http://www.na.gov.pk/uploads/documents/questions/1463552506_372.pdf, (accessed, March 10, 2016).

¹¹⁷ Ghulam Rasool Dehlvi, *New Movements of Extremism in South Asia and Role of Sufi Ulama Analysis*. (November 5, 2015). <http://www.eurasiareview.com/05112015-new-movements-of-extremism-in-south-asia-and-role-of-sufi-ulama-analysis/>(accessed, November 15, 2015).

willingness to address certain laws that prohibit religious freedom. It is argued that there has been no laser like focus on democracy in Pakistan, or it has been tried several times but each time it has failed.

The debates also revolve around the internal factors that provided a chance to external actors to intervene in the internal affairs of Pakistan. There exist another view that suggests, “violence will continue in Pakistan as army remains powerful and Pakistan’s political leadership continue to make unpopular global allies like the US.”¹¹⁸

After independence Pakistan faced severe administrative and management problems due to the process of partition. The secular voices opposing any role of military in politics are of the view that in Pakistan both civil and military leaderships have their own interests.¹¹⁹ The political system of Pakistan is characterized by intermittent breakdown of constitution and political order, weak and non-viable political institutions and processes, rapid expansion of the role of military, three bureaucratic elite, military and military dominated civilian governments and authoritarian and narrowed based management. According to Askari, the early rulers did not pay much attention to democratization since the major concern was to ensure the state survival in view of internal and external challenges. This fear further reinforced authoritarian governance and political management.¹²⁰

The military is also criticised and is termed to have played a major role due to which Pakistanis have not witnessed true

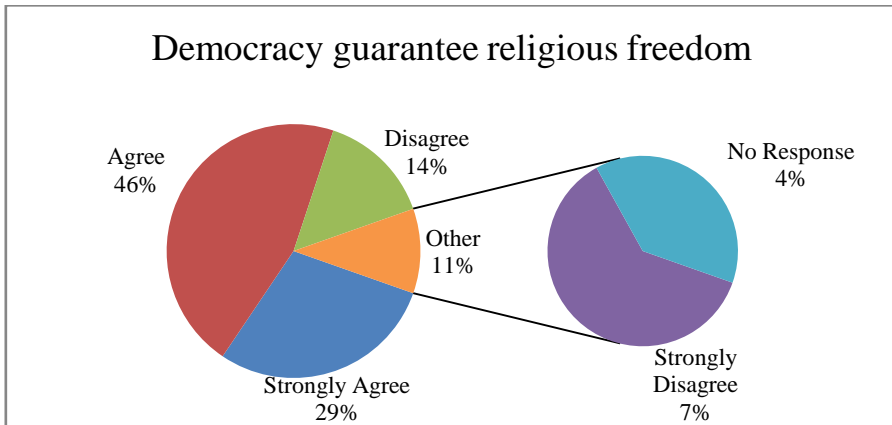
¹¹⁸ “Pakistan: A History of Political Violence”, September 3, 2008, accessed March 4, 2016, <http://www.theguardian.com/world/2008/sep/03/pakistan2>

¹¹⁹ From interview with Marvi Sarmad.

¹²⁰ Hasan A. Rizvi, “Democracy in Pakistan” State of Democracy in South Asia, a Project of Centre for the Study of Developing Societies, Delhi, (N.D.) <http://www.democracy-asia.org/qa/pakistan/Hasan%20Askari.pdf> (accessed, February 21, 2016).

democracy. Also, the hurdles to the growth of democracy are due to division among sects, a fragile nationhood and lack of political vision.¹²¹ However, it is believed that the recent efforts towards democratic process will take another decade or two for Pakistan to become a truly democratic state. Based on the discussion in the study on the correlation between democracy and religious freedom, there is diversity of opinion that democracy guarantee religious freedom. It becomes more important to explore this thinking among Pakistani population. In this regard, the figures of a survey in the following chart suggest that 29 percent of the respondent strongly agree and 46 percent agree that democracy guarantee religious freedom, whereas, 14 percent disagree, 07 percent strongly disagree and 04 percent did not respond. Thus it can be said that democracy is seen as favourable and considered to be the guarantor of religious freedom.

Chart – 1



Religious Extremism and Intolerance

Religious extremism and intolerance that is causing discrimination against religious minorities has substantially eroded Pakistan’s image and shaped a negative world opinion. There is a polarization in society on debate revolving around the increasing

¹²¹ From Interview with Arora...

religious extremism and intolerance in Pakistan. However, it would not be wrong to mention the internal as well as external factors contributing to the increasing religious extremism and intolerance. It is argued that Pakistan's alliance in GWoT has led to political, economic, social and religious turmoil and the pursuance of policies to please the US has added fuel to the fire. This division in public opinion and among political parties on the rise of violent religious extremism has aided the external forces to further exploit the situation.

A global study, which ranked Pakistan as third on the Global Terrorism Index (GTI) list, however, highlights decline in acts of violence. The report says that from 29 in 2012, the number of acts of violence has dropped to 23 in 2013 by different groups. Those responsible for violent extremism are from Islamist groups as well as separatist movements.¹²² Similarly, there were positive trend in terms of security situation in 2014, as there was decrease in the incidents of violence. The number of terrorist attacks came down by 30 percent as compared to 2013.¹²³

FATA, which was a hub of terrorist organizations, witnessed 36 percent decrease in terror attacks by the year 2015 after the successful military offensive. However, parts of Shawal valley still needed to be cleared, thereby putting surveillance and vigilance level high in the area.¹²⁴ The US Senators, during the Army Chief visit to Washington DC, acknowledged that Pakistan Army's perseverance and commitment had degraded militants in the country's north western region.¹²⁵ The government also approached

¹²² Pakistan Ranks Third on the Global Terrorism Index. Dawn: <http://www.dawn.com/news/1145300> (accessed December 15, 2015).

¹²³ See, "Pakistan Time Line", 2015, <http://www.satp.org/satporgtp/countries/pakistan/timeline/index.html>

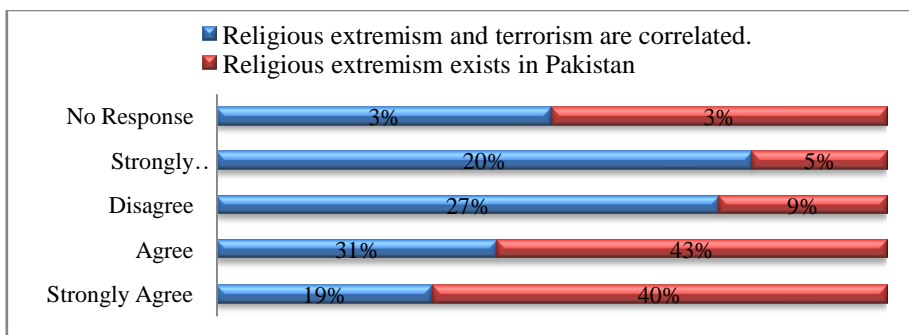
¹²⁴ Pakistan Security Report –2015, (Islamabad: PIPS), 49.

¹²⁵ Kamran Yousaf, "Govt Needs to Match Army's Efforts in Ongoing Fight Against Terror: COAS, The Express Tribune, November 10, 2015.

Saudi authorities for a clampdown on organizations and individuals financing sectarian and banned outfits operating in Pakistan.¹²⁶

The religiously motivated extremism has created a situation where the extremist elements of all shades play on the religious sentiments of the masses and incite mobs. This has invited international attention to the violence in the name of religion against religious minorities that relates laws like Blasphemy and Hudood ordinances in Pakistan to the problem. This has also led to perceptions that religion and terrorism are correlated because it is widely discussed in certain quarters of the West that religions passively endorse violence. To know whether religion and terrorism are correlated, the following table illustrates that out of the total respondents, 19 percent strongly agree and 31 percent agree on the correlation of religion and terrorism. However, among the respondents of the survey 27 disagree, 20 percent strongly disagree with notion and 03 percent did not respond.

Figure – 2



Another observation, based on attacks on mosques, temples, churches and other religious institutions, is that there is religious extremism in Pakistan. The data in the above table show that among the respondents, 40 percent strongly agree and 43 percent agree that religious extremism exist in Pakistan, whereas 09 percent disagree, 05 percent strongly disagree and 03 percent did not support the

¹²⁶ “Exhortation: Riyadh Urged to Help Choke Terror Money”, The Express Tribune, January 15, 2015.

notion.

It is also debated that suppression of believers of one religion is the expansion of others religious beliefs. What is ignored is that in most of the cases religion is manipulated by extremist elements for vested interests. A critique published in *The Guardian* quotes Global Terrorism Index (GTI) which reports that religious extremism has become the main driver of terrorism in recent years.¹²⁷ However, Giles in the same newspaper argues that it is not religion that creates terrorists but it is politics.¹²⁸

Haq endorses the fact that every individual is granted rights in an Islamic state, which are; right to life, employment, security and education.¹²⁹ Still, it is argued that when Taliban extremism reached to a level, where they increasingly attacked religious minorities and those Muslims who did not share their ideology.¹³⁰ According to Shia and Sunni political leaders as well as government officials, the violence against religious minorities is not the result of societal intolerance among religious communities but is organized and carried out by groups of religious extremists.¹³¹ In case of Pakistan, the miscreants (Taliban) and their actions have no connection to religion or religious people nor is their claim that they represent the religious people. This is as much terrorism as it is in Karachi and Balochistan due to the ongoing clashes there.¹³²

¹²⁷ George Arnett, 'Religious Extremism Main Cause of Terrorism, According to Report, *The Guardian*, November 18, 2014, <http://www.theguardian.com/news/datablog/2014/nov/18/religious-extremism-main-cause-of-terrorism-according-to-report> (accessed December 23, 2015).

¹²⁸ Giles Fraser, It's Not the Religion that Creates Terrorists, It's Politics, *The Guardian*, June 27, 2015, <http://www.theguardian.com/commentisfree/belief/2015/jun/27/its-not-the-religion-that-creates-terrorists-its-the-politics>

¹²⁹ From Interview with Amir jamaat-e-Islami, Siraj ul Haq held at Islamabad.

¹³⁰ From Interview with Amir jamaat-e-Islami, Siraj ul Haq held at Islamabad.

¹³¹ "Islam and State: A Counter Narrative", (*The News*: January 23, 2015)

¹³² From interview with Madni...

According to Vankwani, “terrorism is not targeted towards religious minorities but everyone in Pakistan is suffering from it. However, he argues that religious extremism is targeted towards religious minorities and that is mostly due to some text of curriculum that teach hatred and intolerance.” An opposing argument is that at present, conflicts in the world have no connection to religion. It is a war between agencies and they market themselves through the use of religion. They fulfil their agendas by presenting an ideology to the people and creating such situation that fit their agendas. Moreover, it is argued that armies do not directly confront each other, but states fight proxy wars, for their vested interests in countries like Pakistan by engaging non-state actor to incite violence in the name of religion.¹³³ It is also maintained that one reason for religious extremism in society is poverty because a poor person could be easily exploited to commit violent acts, for example, suicide bombers are mostly those people who are extremely poor and are ready to do anything to serve the interests of the exploiter.¹³⁴

There was no extremism in Pakistan before but it has increased due to external factors. Pakistan’s alliance in Afghanistan war was its main reason during General Zia era. The Mujahedeen from Chechnya, Uzbekistan, Sin Kiang and other part of the world came to Afghanistan during Taliban rule but after 9/11 came to FATA, and “are operative in the central Punjab”.¹³⁵ Naeemi opines that the West created the enemy to fight it. Since Pakistan joined the Western alliance, therefore, the external factors played a greater role in creating the menace that we are facing rather than internal factors.¹³⁶ The respondents in the following chart communicate this observation. The views of respondents on the involvement of foreign hand in the increasing religious extremism show that 56 percent Strongly agree, 30 percent agree, 07 percent disagree, 05 strongly disagree and 05 percent did not respond to the question.

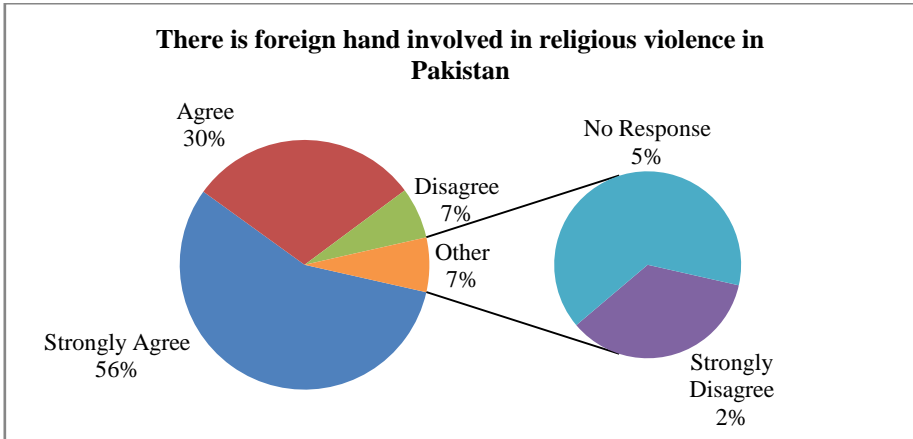
¹³³ From interview with Madni...

¹³⁴ From Interview with Arora...

¹³⁵ Farhat Taj. (2011). *Taliban and Anti-Taliban*. UK: Cambridge Scholars Publishing, pp. 200 - 01.

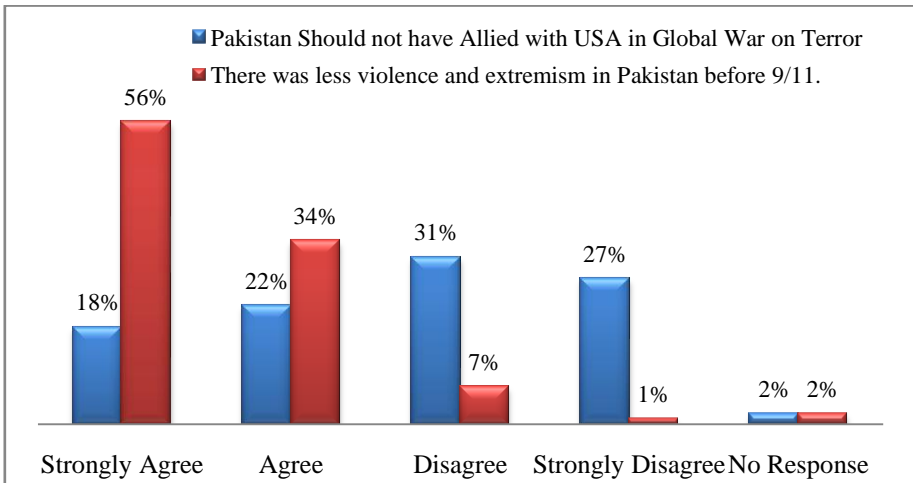
¹³⁶ From Interview with Naeemi...

Chart – 2



Similarly, it is believed that since 9/11 violence and extremism of all kinds increased due to Pakistan’s alliance with the US. In the following table, the respondents on the question that Pakistan should not have allied with US in GWoT is: 18 percent strongly agree, 22 percent agree, 31 percent disagree, 27 percent strongly disagree whereas 02 percent did not respond. The response to the question that there was less extremism in Pakistan before 9/11 is such that 56 percent strongly agree, 34 percent agree, 07 percent disagree, 01 percent strongly disagree and 02 percent did not respond.

Figure – 3



This analysis suggests that US – Pakistan relationship is very complicated. Despite the heavy cost of being an ally in the GWOt, the mistrust remained between the two on various occasion. Since 9/11, the GWOt is mostly fought on Pakistani soil by Pakistan against the militants inside FATA who have spread their tentacles to other parts of the country. It is reasonable to look at how this mistrust has led to US insistence on, ‘Do More’ approach towards Pakistan despite the latter’s efforts and paid huge sacrifices in GWOt in which thousands of Pakistanis have rendered their lives. It is also a fact that the US cannot fight and win this war without Pakistan’s support. The US Security Advisor, Susan Rice, also acknowledged Pakistan’s sacrifices in GWOt and its commitment to eliminate the menace.¹³⁷

Sectarian Violence

Since General Zia ul Haq’s era, there has been an uptake on the incidents of inter-religious conflicts involving Sunnis, Shia, Ahmadis, Christians and other minority religious groups in Pakistan. In 1984, Articles 298B and 298C were added to Pakistan Penal Code (PPC) prohibiting Ahmadis from adopting Muslim identity, who were declared as non–Muslims in 1974 through an amendment in the Constitution by Zulfikar Ali Bhutto. However, certain quarters disagree with this perception and blame the sectarian rift particularly between Shia and Sunni Muslim as a grand scheme of the West.¹³⁸

On the issue of sectarian violence in Pakistan, it is believed to be the result of Iranian revolution and Soviet invasion of Afghanistan. Rashid terms the first as a model for Shia community and the other as a source of inspiration for Salafi school of thought, consequently dividing Muslims in general and within Pakistan in particular. He further argues that countries and their war lobbies that want to exploit Pakistan’s resources are benefiting from sectarian clashes in

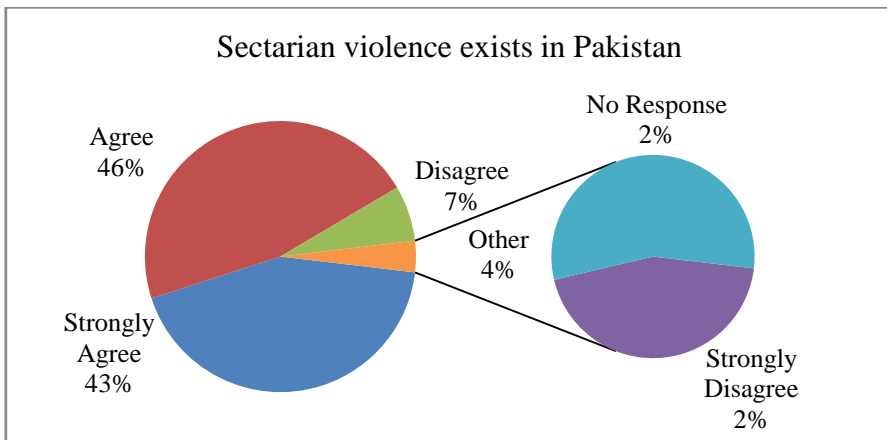
¹³⁷ <http://www.radio.gov.pk/21-May-2016/the-international-community-should-acknowledge-pakistan-s-sacrifices-in-war-against-terrorism>

¹³⁸ From Interview with Amir Jamaat–e–Islami Siraj ul Haq, held at Islamabad on February 11, 2016.

the country.¹³⁹ Others deny the existence of sectarianism in Pakistan and argue that it has been incited. The eight years war between Iraq and Iran produced sects in Pakistan that were equipped by these two nations. Prior to this, people of different sects lived in peace and never fought with each other on the basis of hatred due to sects.¹⁴⁰

The above statement is also supported by Bishop Humphrey who said that there was tolerance and peaceful coexistence in Pakistan society before the Afghan war and there was no distinction between a Shia and a Sunni during the 1960s and 1970s in their day to day interaction in schools and colleges.¹⁴¹ The data in the following chart show that 43 percent of respondents in a survey strongly agree, 46 percent agree on the existence of sectarian violence in Pakistan, whereas 07 percent disagree and 02 percent strongly disagree with this view.

Chart – 3



Some argue that attacks on Shia mosques and killing of a large number of Shias during Zia era resulted in tension between Iran and

¹³⁹ From Interview with Rashid Ahmad, February 4, 2016 at Sheikh Zayed Islamic Center, Peshawar.

¹⁴⁰ From Interview with Amir Jamaat-e-Islami Siraj ul Haq, held at Islamabad.

¹⁴¹ Interview with Bishop Humphrey

Pakistan and harmed the decades long good relationship between the two.¹⁴² Moreover, the debates also revolve around the local networks that commit acts of violence. Nonetheless, it is argued that the phenomenon of sectarian violence has important ties to regional security dynamics and transnational terrorist networks.¹⁴³ It is also pertinent to mention that, the crises in Syria, Yemen and other sectarian conflict-prone sub-regions in Middle East are also affecting Pakistan, since Iran and Arab states back their sectarian proxies in the region. Amir opines:

...for decades the country's Shi'ite and Sunni sects lived side by side without any major problem. The roots of sectarian killing lie not in religious differences, but political and social developments within Pakistan and the region... with the passage of time, the largely theological differences between Shi'ite and Sunni Muslims of Pakistan have been transformed into a full-fledged political conflict, with broad ramification for law and order, social cohesion and governmental authority.¹⁴⁴

Shahidi, on the other hand, holds the US responsible for sectarian divide in the Muslim world in general and Pakistan in particular. He further says that the reason for Shias and Sunnis tension is not religion, but the West did not want Shia – Sunni unity as a whole because it threatens the Western agenda. Also, in order to protect those agendas, they want Muslim countries to be as weak as possible.¹⁴⁵ A report compiled by PIPS show the government's efforts to place sectarianism among the most important national issue. The following chart illustrates the decline in the number of

¹⁴² Hafeez Malik. (2008). *US Relations with Afghanistan and Pakistan*. New York: Oxford University Press, 89 - 90.

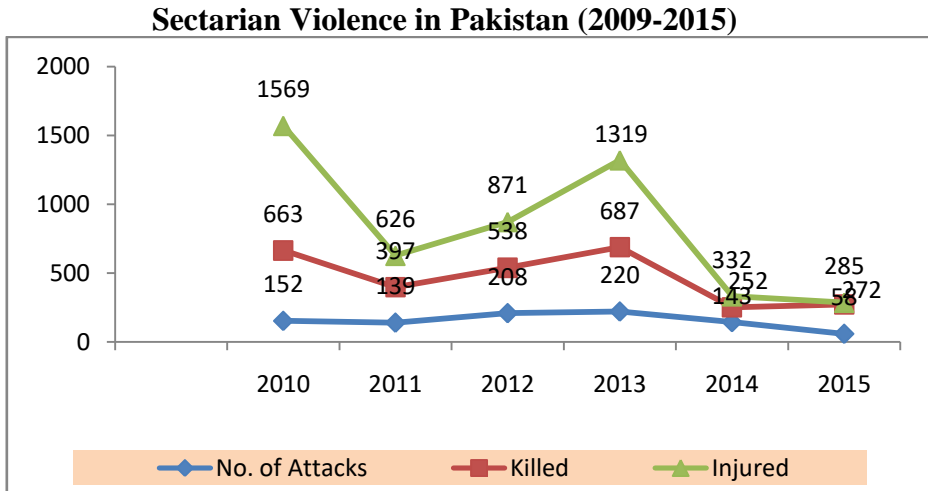
¹⁴³ Arif Rafiq, *Pakistan's Resurgent Sectarian War*, *PeaceBrief*, USIP, 1-4.

¹⁴⁴ Amir Mir, "Pakistan's Sectarian Monster" quoted in Arshi Saleem Hashmi, "Use of Religion in Violent Conflicts by Authoritarian regimes: Pakistan and Malaysia Comparative Perspective", *Journal of South Asian and Middle Eastern Studies*, Vol.XXX, No. 4, (Summer 2007). 36.

¹⁴⁵ From Interview with Shahidi, held at Islamabad on February 23, 2016.

killed and injured in sectarian attacks in Pakistan from 2010 till 2015.

Chart – 4



Source: Pakistan Institute For Peace Studies (Pips)

Discrimination Against Religious Minorities

The Western media and policy-making circles also highlighted the cases of violence against religious minorities. For example, ‘Christianity Today’ in 2009 reported stories of the risks faced by minorities in Swat when the Tehreek-e-Taliban – Swat (TTP-Swat) announced enforcement of Sharia. It further reported that the situation was helped by the Government’s apparent willingness to accommodate certain violent in Swat Valley when it was under the control of TTP-Swat.¹⁴⁶

In wave of terrorism, many churches, temples were attacked and religious minorities were killed. The killings of Shahbaz Bhatti, Minister of Minority Affairs and other prominent minority figures

¹⁴⁶ “Christians in Swat Valley Brace for Taliban Rule”, Christianity Today, (May, 2009). <http://www.christianitytoday.com/ct/2009/may/4.13.html>(accessed, May 30, 2011).

were also highlighted in Western media that showed Pakistan as a country where religious minorities are not safe. It is also true that because of the influence exercised by the perpetrators, in many cases nominal or no actions is taken against them. However, saying that the government has a role to play in all such cases would be an exaggeration.

Various reports of USCIRF, blamed the state of Pakistan to have failed to protect its minorities and to isolate certain hostile elements of the society. The accusations against Pakistan for patronizing non-state actors are too often expressed. In this regard, realizing that these non-state actors are threatening the sovereignty of the state, concrete efforts have been made to address the regional and international concerns. A statement of the Army Chief challenges this accusation when he said that the operation is indiscriminate and targeted at terrorists of all hues and nobody was spared. He also said that international community should help in a dignified resettlement of the Temporarily Displaced Persons (TDPs) in North Waziristan.¹⁴⁷

These reports also stated that despite the assurance of minority representation in the parliament, members of religious minorities were relegated to a separate electorate system.¹⁴⁸ It was acknowledge in various reports that on the recommendations of the USCIRF, the government introduced a joint electorate for minorities. On joint electorate system, Vankwani preferred dual voting right like Azad Kashmir. That is, one vote for general seat candidate and one vote to elect their representative in Parliament. Moreover, even though minorities are given reserved seats but there is selection and not election to those seats.¹⁴⁹ In a survey of Pakistan

¹⁴⁷ “Operation Zarb-e-Azb: All Terrorists Being Hit, Says Gen. Raheel”, *The Express Tribune*, (January 17, 2015).

¹⁴⁸ Report submitted to the Committee on International Relations US House of Representatives and the Committee on Foreign Relations, US Senate by the Department of State in Accordance with Section 102 of the International Religious Freedom Act of 1998. See, *Annual Report on International Religious Freedom 2001*. p. xviii.

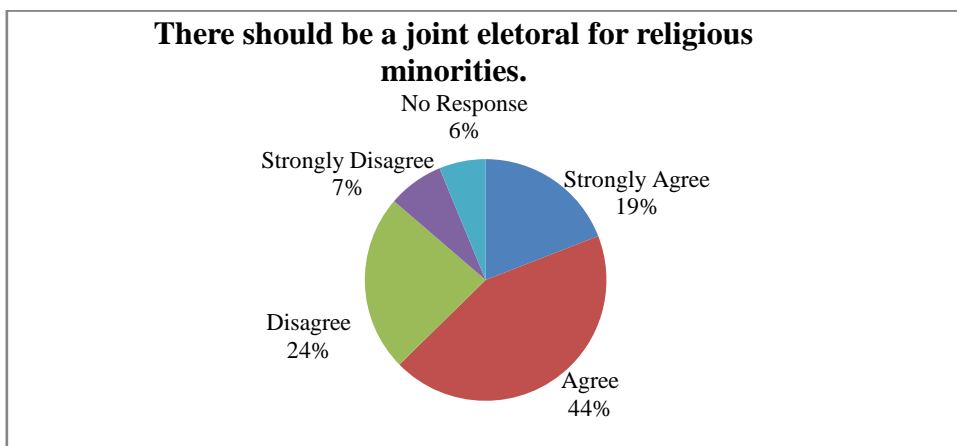
¹⁴⁹ Interview with Vankwani...

Christian Post (PCP) 59 percent minorities favoured dual voting, 27 percent preferred joint electorates whereas 14 percent voted for separate electorate.¹⁵⁰

Besides having reserved seats, religious minorities can also cast vote in general elections so they enjoy double benefits. Minorities' percentage in Pakistan is only 03% and their quota in government jobs is 05%, hence they in a way usurp the rights of majority. The reserved seats are also more than 03 percent. It should be according to their population whether reserved or general seat. If they really want democracy then they should contest on open seats and their quota should be reduced to 03%. All the changes in the Constitution regarding reserved seats were made under the military ruler and not during the time of a civilian government.¹⁵¹

The 19 % respondents of a survey strongly agree, 44 % agree that there should be a joint electorate for religious minorities, whereas, 24% disagree, 07 percent strongly disagree and 06 percent did not respond to the question. The following chart shows this analysis.

Chart – 5



¹⁵⁰ <http://pakistanchristianpost.com/ebook/The%20Trial%20of%20Pakistani%20Christian%20Nation.pdf>

¹⁵¹ Interview with Roohullah Madni

According to Murtaza Haider, it is up to the citizens of Pakistan to decide how much or little religious tolerance may prevail in the society. He further ponders whether Pakistan shall continue to be a country where the minorities are prevented from worshipping and slaughtered or whether it shall be a country where religious pluralism, as envisioned by Jinnah, would flourish.¹⁵²

It was in 2010, when Dr. Seiple at the Institute for Global Engagement (IGE), Washington DC requested an inquiry into a case of religious discrimination in Peshawar against a Christian teacher as it was leaving a negative image of Islam and Pakistan and that he had to justify his claim that very few such incidents have taken place in Pakistan. The teacher, according to him, was a Psychology professor at the University of Peshawar. Reportedly, the students attacked the Christian professor after he refused their demand to convert to Islam. Upon verification by a senior police officer, a journalist of the Daily Times newspaper and an administrator of the University of Peshawar, the report was found baseless.¹⁵³

Most of the scholars interviewed during this research agree on the point that it was after the Afghan war that the level of tolerance started reducing in Pakistan. According to Bishop Humphrey, “because the Afghan war was not tackled properly, it led to religious discrimination. It was the jihad against communism but naive minded, not knowing the phenomenon of communism, thought it was a different religion assuming that it was against Muslim or Islam”. However, he said that there was tolerance among different faith followers, he quotes 1980s, when he as the only Christian in his department in Peshawar University, was elected as the president of the department by winning from the Jamat-e- Islami.¹⁵⁴

¹⁵² Murtaza Haider (2011). *The Dawn* [online]. Available from: <http://www.dawn.com/news/651945/religious-tolerance-in-pakistan>. [Accessed 17 November 2013].

¹⁵³ In connection with discrimination against religious minorities, the researcher during her visit to the US in June 2010 received an email on 26 June 2010, from the President of IGE, who enquired about an assault on a Christian teacher in Peshawar University.

¹⁵⁴ interview with Bishop Humphrey

According to Ayaz, these problems are not Constitutional but societal. Previously people never complained but now they do socially that Christian and Hindus are discriminated, particularly there are problems with Hindus in Sindh and Christians in Punjab.¹⁵⁵ Vankwani says that after 68 years of independence Hindu marriage act bill has not been passed. Criticizing the Hindu Marriage Act that the government is working on Vankwani said, “Clause 12 subsection 3 regarding termination of marriage says that if either husband or wife converts then the other party can separate himself or herself by decree. What happens in reality is that married girls are abducted and after 15 days their *nikah nama* (marriage certificate) stands void on grounds that they have converted.”¹⁵⁶

Marvi asserts that there is fair consensus among political parties that religious minorities need to feel secure and protected, and they should be given due share in country’s resources. She argues that there is no dearth of commitment but in reality this does not happen. She believes that there is discrimination against Hindus particularly.¹⁵⁷ Voicing their grievance, Vankwani said that, Hindus should be given basic facilities like the right to impart their religious education and allowed to marry according to their religion; Hindu marriage act bill should be passed and concrete steps should be taken to stop forced conversion. Moreover, the property of Hindus should be returned and they should be allowed to create their community centres for carrying out social activities.¹⁵⁸ With regards to property rights of minorities, Ayaz said that another problem that has now come in the limelight is Hindu property like Gaushalas or other Hindu worship places, which were confiscated by the Evacuee Property Trust. One temple in Banda Daud Shah was in possession of some people, which has been evacuated and handed over to Hindus for worship.¹⁵⁹

¹⁵⁵ From interview with Qibla Ayaz held at Peshawar on January 29, 2016

¹⁵⁶ From Interview with Vankwani

¹⁵⁷ From Interview with Marvi Sarmad, held at Islamabad on February 16, 2016

¹⁵⁸ Interview with Vankwani...

¹⁵⁹ Interview with Ayaz...

According to Arora, among the three non-Muslim minorities, that is: Hindus, Christians and Sikhs, Sikh community feels that they are not ill-treated and are very much secure. That is because they are not stopped from carrying out their rituals and have complete religious freedom. Majority of the Sikh community are residing in Khyber Pakhtunkhwa (KPK), Orakzai Agency and Tirah valley where their security is not under threat. However, when the Taliban took over in Afghanistan, a little unrest was witnessed which led the Sikhs to move to settled areas from Tirah valley to Peshawar and Hassanabdal.¹⁶⁰

However, there are some barriers, for example, Sikh families cannot keep lands and are barred from keeping property. This is damaging the image of Pakistan internationally. Moreover, the Sikh heritage needs to be preserved. Unfortunately, all the successive governments that came into power could not pay attention to the matter of preserving Sikh architecture. However, now efforts are being made to deal with these issues. Furthermore, the Parliament has approved an official holiday on the death date of raja Guru Nanak. Therefore, it can be said that religious freedom on government level exists but there is always room for improvement.¹⁶¹

The fact is that the Government of Pakistan has always exhibited its willingness and support in fighting religious extremism. In this regard, General Pervez Musharraf as the President of Pakistan on June 5, 2001 in his speech to a group of Muslim clergy advocated greater tolerance between different sects of Islam in society. He also banned two sectarian groups and introduced 'Pakistan Madrassah Education Board Ordinance – 2001' to introduce reforms in Madaris curriculum and the 'Voluntary Registration and Regulation Ordinance – 2002 to control and check the enrolment of foreigners.¹⁶² On the question of whether there is discrimination

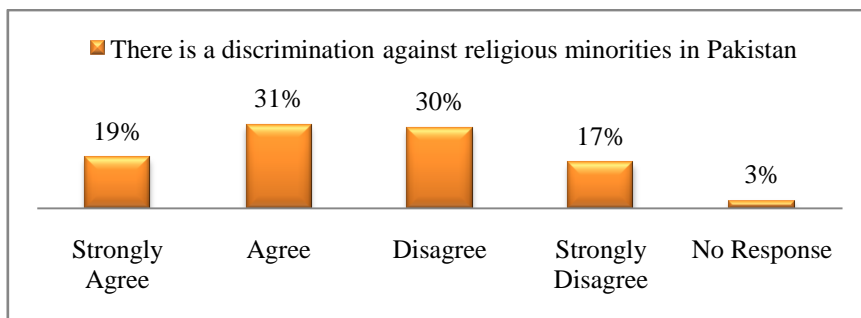
¹⁶⁰ From Interview with Arora.

¹⁶¹ From Interview with Arora.

¹⁶² Amir Mir. (2009). *Talibanization of Pakistan: From 9/11 to 26/11*. New Delhi: Pentagon Security International, pp. 180-81.

against religious minorities, in a survey 19% of the respondents strongly agree, 31% agree that there is discrimination against religious minorities in Pakistan. However, 30% disagree, 17% strongly disagree and 3% did not respond to the question.

Figure – 4



Blasphemy Laws

The US government’s attention, besides other issues, has centred on the issue of religious freedom vulnerable to Pakistan’s Blasphemy laws.”¹⁶³ Many cases of alleged blasphemy have raised controversies over these Laws. Numerous incidents mentioned in USCIRF annual reports related to Pakistan including the killing of Punjab’s Governor Salman Taseer and Minister for Minorities Affairs, Shahbaz Bhatti, for criticizing the Blasphemy laws and the support that these killings received in some circles is all very disturbing news.

A study conducted in 2004, mentioned 10 Christians who were awaiting trial for Blasphemy charges under the Law, whereas the number of Muslims charged with Blasphemy was 289 since 1986 and 59 of those were awaiting court proceedings.¹⁶⁴ Pakistan

¹⁶³ K. Alan Kronstadt, “Pakistan: Key Current Issues and Developments”, (CRS Report for Congress, January 13, 2011), 73.

¹⁶⁴ Jeff M. Sellers, “Ordinary Terrorist: Muslim Extremists in Pakistan do not Always Belong to Dangerous Groups”, Christianity Today, October 2004,

Christian Congress reported that around, “1500 cases were registered under the Law in which Christians, Ahmadis, Hindus and Muslims of other sects were arrested. However, many Christian and Ahmadi victims of the Blasphemy Law were killed by extremists and in all these cases, no one was arrested to guarantee law.”¹⁶⁵

According to a report, published in 2013, 1271 people were charged with Blasphemy between 1986 and 2010. In 51 cases blasphemy suspects were extra judicially murdered or died in jail before their respective trails were over. However, the death sentence has never been implemented.¹⁶⁶ This and many other cases identify that the perception that Blasphemy law is used against non-Muslim is not quite correct as many Muslims charged with blasphemy are also awaiting penalty.

An important aspect, most often ignored, is the extremists’ links to the case of violence, which the state of Pakistan is fighting. A report of Human Rights Commission of Pakistan (HRCP) stated, “there was a direct link between the rise of the Taliban and the suppression and oppression of the minorities and of all those whose beliefs differed with those of the extremists who dared to expose hatred and violence in the name of religion. It is obvious that the mere charge of blasphemy, however preposterous it may be, is now a conviction in itself.”¹⁶⁷

Many quarters associate the application of Blasphemy laws in countries like Pakistan to religious conservatism. The fact however is, most European countries that are considered secular also

<http://www.chritianitytoday.com/ct/2004/october/43.102.html?start=2>, (accessed June 15, 2010).

¹⁶⁵ UN Intervention to End Genocide of Pakistani Christians. (n.d.), http://www.pakistanchristiancongress.org/content.php?section_id=78. (accessed, October 15, 2011).

¹⁶⁶ Dawn: August 2013).

¹⁶⁷ Human Rights Commission of Pakistan (2013, March). *State of Human Rights in 2012*. (978-969-8324-61-2). publisher Lahore Available from: <<http://hrcp-web.org/hrcpweb/wp-content/pdf/AR2012.pdf>>. Accessed: 22 November 2013.

condemn and penalize Blasphemy, which includes, Austria, Denmark, Finland, Greece, Italy, Ireland, Cyprus, Malta, Germany, Montenegro, Iceland and Poland, and Russia and Turkey beyond EU borders.¹⁶⁸ The widely held perception in the West and some quarters of the Muslim societies as highlighted by Abbas is “Blasphemy Law was used as a pretext to attack minorities,”¹⁶⁹ and are considered hostile and discriminatory because in most of the cases the allegations levelled against any person are false.

It is pertinent to look at the Section XV of Pakistan Penal Code, which deals with offences related to religion. Article 295 is about “injuring or defiling place of worship, with intent to insult the religion of any class”; 295–A addresses “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious belief”. In 1982, 295–B was introduced by General Zia ul Haq through an ordinance, which addresses defiling etc., of the Holy Quran and 295–C by Prime Minister Muhammad Khan Junejo in 1986 which deals with use of derogatory remarks etc., in respect of the Holy Prophet (PBUH).¹⁷⁰

Hence, it is argued that Blasphemy Laws contain protection for all religions, however, the misuse and the punishment for blasphemy is criticized nationally and internationally. It is argued that this Law is secular as British in the undivided India introduced it. After independence, Pakistan and India share Penal Code and Blasphemy Law given by Lord Macaulay in 1860s.¹⁷¹ With regard to its misuse, it is held that certain elements violate these Laws for vindictive¹⁷² and political purposes, which results in an increase in violence not

¹⁶⁸ “Is Europe the Land of Freedom of Expression?” <http://end-blasphemy-laws.org/countries/europe/> (accessed January 1, 2016).

¹⁶⁹ Hassan Abbas. (2005). *Pakistan’s drift into extremism; Allah, the army and America’s war on terror*. Delhi: Pentagon Press, 103-06.

¹⁷⁰ Pakistan Penal Code (Act XLV of 1860) October 6, 1860, <http://www.pakistani.org/pakistan/legislation/1860/actXLVof1860.html>

¹⁷¹ Aakar Patel, “Pakistan’s Blasphemy Law”, *The Express Tribune*, August 26, 2012.

¹⁷² From Interview with Vankwani...

only against religious minorities but Muslims as well. Particularly the land mafia who invoke blasphemy charges against Christians or other minorities and in many instances the homes or entire colonies of minorities were burnt, with whom they had land disputes.¹⁷³

Shahidi discourse is, “where blasphemy exists, that is where the Law is misused. He further said that when Blasphemy Laws were not enacted, blasphemy cases were very less in number as compared to now. Amongst these, there are some who are bribed to commit this crime, while the others being ignorant commit it. Thus, each scenario has to be individually analysed. The Blasphemy law itself is not incorrect for it has basis and reasons behind it. However, the misuse must be checked and analysed, otherwise the society will be destroyed.”¹⁷⁴

In support of the above arguments, Naeemi maintains, “unfortunately, Blasphemy Laws are misused. But you cannot blame the public or the people of religion for it. The problem is in the procedure in the police stations and the courts that is helping the misuse without realization of the harm they are causing to the religion. Hence the procedural laws regarding blasphemy must be reviewed. There must be stricter criteria for registering FIR and a senior police officer should investigate the cases.”¹⁷⁵

Ghamidi argues that it is very unfortunate that religious and political elites in Pakistan have remained hesitant on debating Blasphemy Laws due to fear of reaction from religiously conservatives.¹⁷⁶ Many quarters view no compromise on Blasphemy¹⁷⁷ and see it as the decision of God and argue that an

¹⁷³ From Interview with Qibla Ayaz...

¹⁷⁴ From Interview with Amin Shahidi, held in Islamabad on February 23, 2016.

¹⁷⁵ Interview with Naeemi...

¹⁷⁶ From Interview with Ghamidi, similar views were expressed by Vankwani...

¹⁷⁷ Researchers interviews with Ahmad, Madni, Ayaz and Haq.

Islamic state does not give one the right to denounce religion.¹⁷⁸ On the question to quote a verse where the punishment for blasphemy is mentioned in the Holy Quran, Madni responded “our religion does not only follow Quran but also Sunnah. We have to consider the practice of our Prophet. Other religions do not have the Sunnah of their prophets preserved but we do. This is the fundamental difference between Islam and other religions.”¹⁷⁹ Ghamidi, on the contrary claims, “Blasphemy Laws do not have any foundation in the Holy Quran or Hadith. This is an adopted belief of many people inside Pakistan and unfortunately, it has led to a reference point of introduction for Muslims in the World.”¹⁸⁰

Many of the USCIRF reports recommended to the State Department to urge the Government of Pakistan to repeal the Blasphemy Laws. However, various quarters argue that the law exist in Western countries, the government should address its misuse. Therefore, reforms in the laws are supported by many quarters within Pakistan. Ghimidi while supporting reforms of Laws, argue that these are introduced in the name of religion, which are not relevant to present day.¹⁸¹

It was in this context that on January 28, 2016, the Chairman of Islamic Ideological Council (IIC)¹⁸² Maulana Muhammad Khan Sherani was reported in the press media to have said, “we are willing to review Blasphemy Law. Maulana advised the government on compatibility of laws with Islam and for this purpose to reopen the debate and see whether sentences as harsh as the death penalty were fair.”¹⁸³

¹⁷⁸ From Interview with Amir Jamaat–e–Islami Siraj ul Haq, held at Islamabad.

¹⁷⁹ From interview with Roohullah Madni, 2016

¹⁸⁰ From Skype Interview with Javed Ahmad Ghamidi on January 2016.

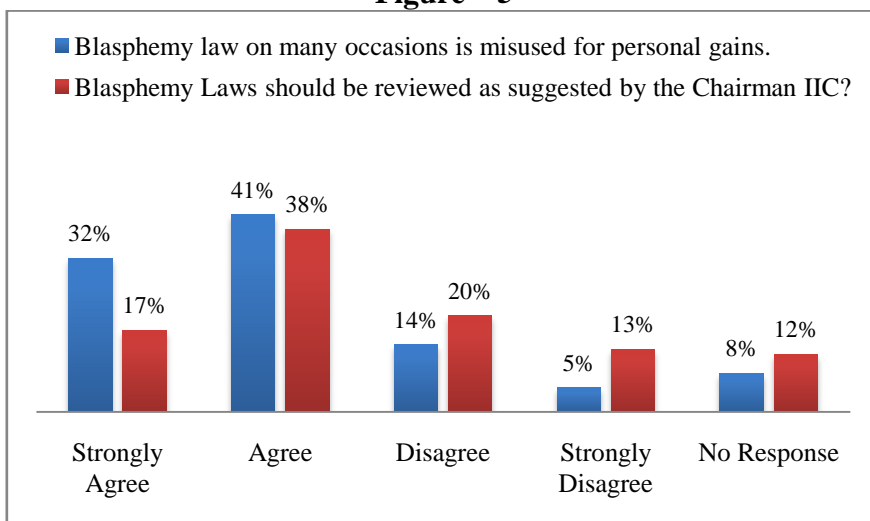
¹⁸¹ Skype interview with Ghamidi...

¹⁸² The Council of Islamic Ideology is a Constitutional body that advises the legislature whether or not a certain law is repugnant to Islam, namely to the Qur'an and Sunnah.

¹⁸³ CII Head Say Willing to Review Blasphemy Law, (ARY News; January 28, 2016) <http://arynews.tv/en/cii-head-says-willing-to-review-blasphemy-law/> (accessed January 29, 2016).

An analysis of the survey conducted for this research show that majority agree on misuse of the law for vested interests. The survey on the question of misuse of the Blasphemy laws for personal gains shows that 32 percent strongly agree, 41 percent agree, 14 percent disagree, 05 percent strongly disagree and 08 percent did not respond. Among the respondents, 17 percent strongly agree on the review of Blasphemy laws as suggested by IIC Chairman, 38 percent agree, 20 percent disagree, 13 percent strongly disagree and 12 percent did not respond.

Figure – 5



In this regard, Sherry Rehman, a Pakistan People’s Party Parliamentarian proposed in 2010 that the “ death sentence (PPC-295C) be reduced to a ten year imprisonment and recommended that the life imprisonment (Section 295 B) be substituted with five year imprisonment sentence.” She also proposed that, “a new section 203A should be added to PPC which states that ‘anyone making false or frivolous accusation under any of the sections of 295 A, 295 B and 295 C of the PPC shall be punished in accordance with similar punishments prescribed in the section under which the false

frivolous accusation was made.”¹⁸⁴ Vankwani while supporting Blasphemy Law suggested that to stop its misuse the perpetrators should be punished just as Justice Asif Saeed Khosa had proposed in Mumtaz Qadri’s case.¹⁸⁵

Ghamidi further states, “Polytheism, disbelief and apostasy are indeed grave crimes; however, no human being can punish another human being for these crimes. This is the right of God alone. In the Hereafter too, He will punish them for these crimes and in this world it is He Who does so if He intends.”¹⁸⁶ Madni supports this argument by stating, “individual should not take law into their hands, rather the government should implement the blasphemy laws and the legislation against the misuse of all laws including Blasphemy laws. He further argues that the punishment of Blasphemy is according to Sharia and the government cannot change it.”¹⁸⁷

A major step in Blasphemy case was the Supreme Court of Pakistan’s decision to maintain the conviction of Qadri. In this regard the remarks of the worthy judges of the superior court are very important. Justice Khosa quoting the 21st Amendment¹⁸⁸ said that while in most cases Blasphemy law is misused for personal benefits and in any democratic government it is the right of the

¹⁸⁴ “Bill to Amend Blasphemy Laws Submitted in NA Secretariat”, The Express Tribune, (November 26, 2010), <http://tribune.com.pk/story/82002/bill-to-amend-blasphemy-laws-submitted-in-na-secretariat/> (accessed November 28, 2010)

¹⁸⁵ From interview with Vankwani...

¹⁸⁶ Saleem Shahzad, Selected Essays of Ghamidi”...148-159

¹⁸⁷ From Interview with Madni, February, 2016.

¹⁸⁸ The Statement of Objects and Reasons of the Constitution (Twenty first Amendment) Act, 2015 says: An extraordinary situation and circumstances exist which demand special measures for speedy trial of offences relating to terrorism, waging of war or insurrection against Pakistan and prevention of acts threatening the security of Pakistan. There exists grave and unprecedented threat to the territorial integrity of Pakistan by miscreants, terrorists and foreign funded elements. Since there is extraordinary situation as stated above it is expedient that an appropriate amendment is made in the Constitution. The Bill is designed to achieve the aforementioned objects.

nation to criticize the laws made by the Parliament. He further said that in matters of Blasphemy taking the law in their own hands instead of going to courts would instil fear in society. Another key point was the statement of Justice Dost Muhammad Khan who said that allowing individuals to deal with such matters on their own is fraught with danger, especially in a divided society like ours.¹⁸⁹

Madaris Reforms

Madaris were established in Sub-continent during British rule for the survival of Islamic teaching.¹⁹⁰ According to Sabookh Syed, in Pakistan, the debates on reforms revolve around the structural and educational reform in Madaris. This is because they are not religious Madaris but sectarian as Madrassa from one school of thought cannot be joined by Muslim of another sect.¹⁹¹ The USCIRF has also expressed concern over the alleged role of Pakistan's Madaris in providing ideological training to religious extremists and in creating an atmosphere of intolerance in which abuse of religious freedom is more likely to occur.¹⁹² The 9/11 Commission Report, which was released in 2004, quoted some of the Pakistani Madaris as 'incubators for violent extremism'.¹⁹³

Pakistani *Madaris* have come under intense scrutiny after 9/11. If on one hand they are catering to the poor strata of society, on the other they are believed to be playing a role in violence and conflict among different faith followers including Shia and Sunni. In one of its reports, the USCIRF highlighted the Saudi government funding of mosques, universities, university chairs, Islamic study centres and Madaris all over the world including Pakistan during the Afghan war. It said that these Madaris focused less on scholarship than

¹⁸⁹ Nasir Iqbal, SC Maintains Mumtaz Qadri's Death Penalty, Says He is a Terrorist, (Dawn: October 7, 2015).

¹⁹⁰ Skype interview with Munawarul Hassan...

¹⁹¹ Interview with Sabookh Syed, held at Islamabad on February 24, 2016.

¹⁹² USA Commission on International Religious Freedom Hearing on Religious Extremism ...

¹⁹³ Jayshree Bajoria, (October 7, 2009).

ideological training. While acknowledging the peaceful propagation of religious beliefs including Islam as a human right, USCIRF criticised the Government of Pakistan with regard to situation of violence against both Muslim and non-Muslims.¹⁹⁴

Since Pakistan's alliance with the US in the GWoT, it is believed that "Pakistan has toned down many policies that previously fostered militancy and religious extremism within the country and internationally. However, concerns were expressed about the intent and will of the government to set the society on a sustainable course that would lead to political pluralism and religious tolerance and its actions against *Madaris* that breed extremism."¹⁹⁵ It is claimed, on the contrary, that madrassah impart religious education, which includes philosophy, *Fiqh*¹⁹⁶, Quran and *Sunnah* and nothing besides education. It was during Afghan war that *Madaris* and their students were involved by the state in the war. Later on after achieving their goal, these were abandoned which led to an increase in violence.¹⁹⁷

The curriculum of Madris is also criticised. Haq, on reforms of Madaris argues that it is important to upgrade Madaris by bringing them into the mainstream where subjects like science, medical and technical education should be imparted besides elevating the standard of living of the teachers. He further said that these Madaris are not against learning but against Western decadent culture.¹⁹⁸ It is argued that religious education is a fundamental right, therefore, *Madaris* would benefit from having teachers to be better educated in multiple disciplines and have exposure to people of other faith

¹⁹⁴ Annual Report of the USCIRF, May 2005, 116.

¹⁹⁵ (Pakistan: Madrasas, Extremism and the Military 2002)

¹⁹⁶ The philosophy of Islamic law based on the teachings of the Quran and Sunnah.

¹⁹⁷ From Interview with Gulzar Naeemi held at Islamabad on February 23, 2016.

¹⁹⁸ From interview with Haq...

traditions.¹⁹⁹ Moreover, it is argued that Madaris have a major role in bringing peace. The government and religious elite who are head of the religious and Madrassah boards should sincerely work towards upgradation and reforms in Madaris. Unless both of these do that, the problems will never be solved.²⁰⁰

It is reported that registered *Madaris* with Ittehad-e-Tanzeemat-e-Madaris which registers all major school of thought Madaris, is 26000. With the increase in the number of Madaris in Pakistan, some government official believe that 8000-9000 other Madaris may be unregistered. the report also said that 2 to 5 percent of these Madaris are linked to extremism and radicalisation of students and many are reportedly linked to militancy.²⁰¹ The indoctrination of students, hate speech against minority sects further intensifies the plight of religious minorities.

According to Vankwani, “unregistered *Madaris* are proliferating in the country, for example in Tharparkar, 60 percent population is Hindu but the number of unregistered *Madaris* is increasing, especially in Badin. They teach hatred and religious intolerance.”²⁰²

Naeemi agrees that to some extent a few unregistered Madaris spread hate speech and ideological indoctrination is practiced. This should not happen. While agreeing on the registration of *Madaris*, Naeemi argued that hate speech comes from mosques and not Madaris and most of the times it is ignored by those at helm of affairs because it serves their own interests. Therefore, the government should clearly define who is a terrorist and who is not.²⁰³

¹⁹⁹ Email Communication with Brian J. Grim, President of the Religious Freedom and Business Foundation, Berkley Center, Georgetown University, on February 16, 2016

²⁰⁰ From Interview with Gulzar Naeemi

²⁰¹ Abdul Zahoor Khan Marwat, More Needed on Madrassa Reforms, December 28, 2016, <http://www.thenews.com.pk/print/84689-More-needed-on-Madrassa-reforms> (accessed January 12, 2016).

²⁰² From interview with Vankwani

²⁰³ From interview with Naeemi...

There are also reports that a number of terrorist organizations and *Madaris* receive foreign financial assistance, to spread hate against minority sect, from Muslim countries. In this regard, the Foreign Office of Pakistan, in a diplomatically reserved language, stated that money sent through informal channels from abroad would be scrutinized.²⁰⁴ Various studies show that some of the *Madaris* are eager to play a political role and majority consider it a religious obligation. According to a survey conducted by PIPS 62 percent of *Madaris* have political affiliations out of which 59 percent were affiliated with religious political parties, 03 percent with other mainstream political parties, 18 percent with sectarian and jihadi organizations, whereas 18 percent did not express any affiliation. This affiliation, however, was denied by the administration of these *Madaris*.²⁰⁵ Moreover, the religious political leadership disagree²⁰⁶ with the notion that these *Madaris* have any role in religious extremism and violence.

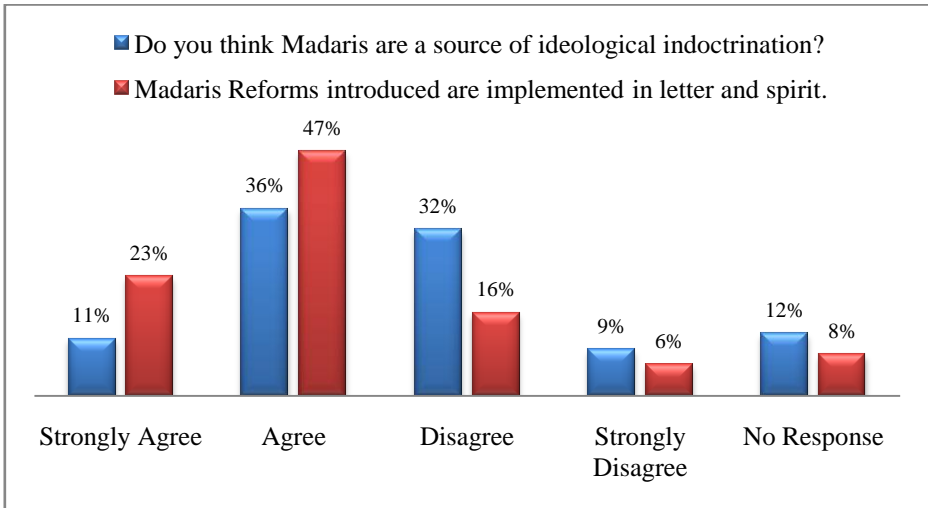
The views about ideological indoctrination and implementation of reforms in *Madaris* are explored in the following in survey. Among the respondents, 11 percent strongly agree and 36 percent agree that *Madaris* are a source of ideological indoctrination, whereas, 32 percent disagree, 09 percent strongly disagree and 12 percent did not respond to the question. On the question whether reforms are introduced and implemented in letter and spirit, 23 percent strongly agree, 47 percent agree, 16 percent disagree, 6 percent strongly disagree and 08 percent did not respond.

²⁰⁴ Amir Waseem and Baqir Sajjad Syed, “ Saudi Money Will be Scrutinized: FO”, *Dawn*, February 11, 2015.

²⁰⁵ M. Amir Rana and Safdar Sial, *Radicaization in Pakistan*, (Islamabad: Narratives Pvt ltd), 90-92

²⁰⁶ The researcher’s interviews with religious scholars and political leaders, for example, Roohullah Madni, Siraj ul Haq (JI).

Figure – 6



The government has shown consistency in registration, regulation and reforms of Madaris and scrutinise their curriculum to prevent the spread of religious extremism. These measures include mapping of registered and unregistered Madaris, auditing of their account and check their sources of funding and action against those found to be involved in hate speech, militancy. In mid-2005, the Pakistani government renewed its effort to require all Madaris to register with the government and to expel all foreign students. By that year's end, despite an outcry from some violent extremist groups, most of the religious schools had registered.

With regard to registration, the government and the Madaris authorities agreed to draft a uniform registration form. It was also decided that madaris would receive foreign financial aid only through the government to ensure proper auditing of their funds.²⁰⁷ In Punjab the government geo-tagged 11000 Madaris across the

²⁰⁷ Azam Khan, [http: "Madrassa Reforms: Government enlists Religious Scholars' Support", *The Express Tribune*, January 18, 2015, //tribune.com.pk/story/823638/madrassa-reforms-govt-enlists-religious-scholars-support/ \(Accessed May 21, 2015\).](http://tribune.com.pk/story/823638/madrassa-reforms-govt-enlists-religious-scholars-support/)

province and compiled their sect wise breakdown.²⁰⁸ According to a report, 167 suspected Madaris in Sindh, 13 in KPK, 02 in Punjab and 72 unregistered Madaris in Sindh have been closed. Regarding the registration and regulation of seminaries, 100 percent mapping on agreed parameter in Islamabad and Punjab, 80 percent Sindh, 75 percent in KPK and 60 percent in Balochistan has been completed. Moreover, action against authors, publishers and retailers circulating hate material besides removing of objectionable material from textbooks has also been initiated.²⁰⁹

Military Operations and Bills to Counter Violent Extremism

Taking note of the overall unrest due to terrorism and violent extremism, the government started various military operations that have been successful. Since 9/11, Pakistan Army has conducted four large scale and around eight medium to small scale counter terrorism operations against Pakistani Taliban. The large-scale operations include, Rah-e-Rast and Rah-e-Nijat, under the former Army Chief, General Ashfaq Pervez Kiani and Zarb-e-Azb and Khyber-1 under General Raheel Shareef, which exhausted the operational capabilities of the militants.²¹⁰

De-radicalization program were initiated in Swat after defeating TTP-Swat in September 2009 and another one in eastern Punjab in 2011, focusing on Kashmiri Jihadi groups like Lashkar-e-Taiba (LeT) and Jaish-e-Muhammad (JeM) and anti-Shia militant groups like Lashkar-e-Jhangvi (LeJ), and Sipah-e-Sahaba Pakistan (SSP). The rehabilitation programmes for the indoctrinated youth were introduced under the supervision of Pakistan Army, some were supervised by Counter Terrorism Departments, others in

²⁰⁸ Ali Usman, "Geo-tagging Database: Punjab Maps Location of 11,000 Madrassas", *The Express Tribune*, March 12, 2015

²⁰⁹ Riaz ul Haq, "Over 250 Madrassas Shut Down Countrywide", *The Express Tribune*, February 25, 2016.

²¹⁰ Abdul Basit, "Evaluating Pakistan's Counter-Radicalization and De-radicalization Initiatives" *IPRI Journal*, XV, No. 2, (Summer 2015), 60.

collaboration with NGOs.²¹¹ It is important to mention that, inline with counter insurgency, beside the efforts of civilian government, Pakistan Army is focusing on the socio-economic development spheres, such as education, health, communication, national logistics, infrastructure development including rescue, relief and rehabilitation activities in these areas.

After the brazen attack on Karachi airport by Taliban and the failed peace talks, the launch of Operation Zarb-e-Azb on June 15, 2014 in Tribal Areas, proved successful in debasing and dismantling the organizational structure of militant organizations. It helped in improving the security situation inside the country and provided space for better regional coordination to counter terrorism and promote stability in the region.²¹²

Pakistan National Assembly passed the National Counter Terrorism Authority – 2010, National Counter-Terrorism Bill – 2013, which revitalized the dysfunctional National Counter-Terrorism Authority (NACTA), formulated in 2010. As a result of the bill, Pakistan announced its first ever National Internal Security Policy (NISP) on February 25, 2014. NISP is established on mutual inclusiveness and integration of national efforts which includes three elements: 1) dialogue with all stakeholders, 2) isolation of terrorists from their support systems, 3) enhancing deterrence and capacity of security apparatus to neutralize the threats to internal security of Pakistan.²¹³

Another breakthrough was initiation of the National Action Plan (NAP) after the brutal attack on Army Public School in Peshawar on

²¹¹ Abdul Basit, “Evaluating Pakistan’s Counter-Radicalization ...52-54.

²¹² See, “Pakistan’s Security Landscape in 2014”, *Policy Brief*, <http://san-pips.com/index.php>(accessed October 25, 2015).

²¹³ See, The Text of National Security Policy (2014-2018), <http://nation.com.pk/islamabad/27-Feb-2014/text-of-national-security-policy-2014-18>

December 16, 2014. The 20–point NAP²¹⁴ outlines the government’s counter–radicalism and counter–terrorism strategy by announcing zero tolerance for militancy and strangling the terrorist organizations through choking their financing, dismantling their communication networks physically and on media as well.

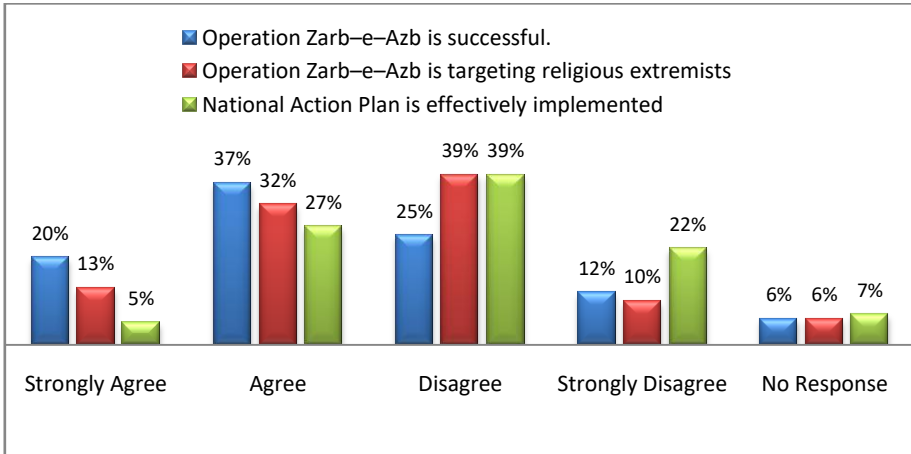
To counter religious and sectarian terrorism, Madaris reforms and scrutinizing of religious material were made necessary to prevent the spread of hate material. NACTA was proposed to be strengthened and to make peace long lasting. FATA reforms, issue of Afghan refugees, Baluchistan reconciliation and taking the Karachi Operation to its logical conclusion were enshrined in NAP.²¹⁵

The data in the following figure exhibit the views on success of Operation Zarb–e–Azb where 20 percent strongly agree and 37 percent agree on the question. However, 25 percent disagree, 12 percent strongly disagree and 06 percent did not respond to the question on its success. Among the respondents, 13 percent strongly agree and 32 percent agree that the operation is targeting religious extremists, whereas 39 percent disagree, 10 percent strongly disagree and 06 percent did not respond to the question. On the question whether NAP is effectively implemented, 05 percent strongly agree, 27 percent agree, 39 percent disagree, 22 percent disagree and 07 percent did not respond.

²¹⁴ See, National Action Plan, http://nacta.gov.pk/Download_s/Presentations/National_Action_Plan_NACTA_Pakistan.pdf (accessed September 1, 2015).

²¹⁵ Ibid., National Action Plan...

Figure – 7



The launch of a military operation in Punjab has commenced after the brutal terrorist attack in Lahore on March 27, 2016. It was during the Army Chief visit to Washington DC that the US Senators acknowledged Pakistan Army’s effort against terrorism, saying the army’s perseverance and commitment had degraded militants in the country’s north western region.²¹⁶

With regard to accusations against Pakistan for patronizing non-state actors, the government realizing that these non-state actors are threatening the sovereignty of the state, took concrete efforts to address the concerns raised in IRFA reports. A statement of the Army Chief challenges this accusation when he said that the operation is indiscriminate and targeted at terrorists of all hues and nobody was spared. He also said that international community should help in a dignified resettlement of the Temporarily Displaced Persons (TDPs) in North Waziristan.²¹⁷

²¹⁶ Kamran Yousaf, “Govt Needs to Match Army’s Efforts in Ongoing Fight Against Terror: COAS, The Express Tribune, November 10, 2015.

²¹⁷ “Operation Zarb-e-Azb: All Terrorists Being Hit, Says Gen. Raheel”, *The Express Tribune*, (January 17, 2015).

Critique of Pakistan foreign policy observe healthy developments in Pakistan's approach towards strengthening ties with regional countries that also includes India and Russia, rather than relying on a far away US. Moreover, the recent stance on the crisis between Saudi Arabia and Yemen and Saudi tension with Iran despite its commitment to 34-nations coalition has earned Pakistan respect in the region. Pakistan rational approach in Iran-Saudi Arabia cold War also helped relieved the internal tension found inside Pakistani Shia community.²¹⁸

Lately, PM Shareef's Advisor on Foreign Affairs Sartaj Aziz in their remarks in the Senate held the US responsible for destabilizing Pakistan and the region. It is further argued, "geopolitical risk is spreading like a wild fire that threatens to overwhelm existing institutions, which requires a concerted effort to honestly address the real issues inspite of playing for galleries of supermen. The Global Risks Report of 2016 warned to stop walking into geopolitical turmoil."²¹⁹

It is important to quote PM Shareef address to the UN General Assembly in September 2014 when he said that the threat of terrorism should be defeated by addressing underlying causes, opposing extremist ideologies and countering the narratives of terrorists through the just resolution of "the several instances of oppression and injustices against Muslim in various part of the world." Moreover, the Army Chief, while addressing the audience at Command and Staff College in Quetta, said that a secure Pakistan can be a prosperous Pakistan and our fight against terrorism and extremism is not for today but for our future generations.²²⁰

The hosting of 'Heart of Asia Conference' in December 2015 and the Quadrilateral Coordination Group (QCG) talks held in

²¹⁸ Ali Ashraf Khan, "Pakistan's Foreign Policy Changes Focus", (Pakistan Observer: January 29, 2016).

²¹⁹ Ibid.

²²⁰ Syed Ali Shah, "We are Fighting Terrorism to Secure Future Generations of Pakistan, Says Gen Raheel, Dawn, May 21, 2015.

January 2016, were other landmark developments that indicate Pakistan's stance on regional peace and stability. The history of relationship between Pakistan and India was pictured in a way, which present Pakistan's foreign policy to be India centric. The PM Sharif reiterated Pakistan's stance against terrorism that, 'we will not allow our soil to be used against other country for terrorism'. To show its commitment, Pakistan arrested many workers of Lashkar-e-Muhammad, after Pathankot's attack in India and fully cooperated in the matter. The investigation team's findings proved that there was no involvement of Pakistan as indicated by some Indian political leadership.

On the issue of Pakistan as a theocratic state and lack of democratic institutions, Waseem rightly states that 'Pakistan is not a generic Muslim state, but rather a constitutional state akin to India. Its authority is based on the Westminster model, characterized by legitimacy based on popular mandate, an elaborate judicial system, the prevalence of political parties, but it also has a primordial loyalties of tribe and caste, the use and abuse of religion in electoral campaigns and discourse based on ethno-linguistic divide.'²²¹

Pakistan, since the beginning of 2008 has pulled away from military rule and democracy will take some time to fully established according to the large and growing literature dealing with the workings of democracy around the globe.²²² There are others who argue that democracy in Pakistan lies in the socio-political system. Therefore the main causes for the failure of democratic system are feudalism, illiterate and apathetic people, self imposed leaders and inherited politics. It is recommended that education and social liberty should be given to all and particularly the rural community besides social equality, justice and rule of law. These measures can lead to strong democratic institutions in Pakistan.²²³

²²¹ Mohammad Waseem, *Patterns of Conflict in Pakistan...*, 14.

²²² Shahid Javed Burki, "Why is Democracy not Delivering for Pakistan, *The Express Tribune*, June 24, 2012.

²²³ Sajid Mehmood Sajid, "Failure of Democracy in Pakistan: Causes and Solutions", *Pak Tribune*, December 14, 2011.

According to Leader of the House Senator Raja Muhammad Zafarul Haq, “ the future of democracy in Pakistan is bright due to awareness in the Parliament, political parties and the common masses to discourage any unconstitutional and undemocratic move.” He further said, “Pakistan was a democratic country... except for occurrence of some incidents in history which disturbed the setup for the time being, none of the persons was there to believe that the country could be run smoothly without a powerful democracy”. He added, “Pakistan was a successful federation and its federating units were contributing positively to the smooth functioning of democracy. Its practical example could be seen in the form of Parliament, especially Senate where all the federating units were represented. There was no danger to the bright future of democracy in Pakistan.”²²⁴

Interfaith Initiatives

Discriminations if not addressed by the state, whether it is cultural, ethnic, political, or religious, always lead to discontent which can be manipulated by interest groups and pave the way for violence. Unfortunately, religious and political leaders have not been successful in bringing the tension to a halt despite their pledges and claims during election campaigns. This leads to an inference: fearing the other does not help, but rather widens the gap. Unless we get together to isolate the fear (threat), we will not be able to guarantee a peaceful future for the coming generations.

According to Hertzke, there are various organisations and individuals that focus on religious freedom and persecution and democracy in Pakistan. Many focus on a Pakistan specific policy directly, others do not focus exclusively but do occasionally. Institute for Global Engagement (IGE) is interested in engagement and mutual respect and has Muslim staff and has worked in Pakistan. He quotes another organization, the Voice of Martyrs, which is one of the largest ‘Christian Solidarity’ organization that champions the rights of Christian minority in Pakistan. However it is

²²⁴ Future of Democracy Bright in Pakistan: Leaders, The Nation, September 16, 2014.

not involved in direct lobbying but raises awareness. ‘Open Doors’ also advocates for Christian minorities and has issued reports or joined hearings on Pakistan. Similarly, ‘International Christian Concern’ advocates the same cause. Advocate International is a moderate network of lawyers that has Pakistani members and has taken on Pakistani issues. He further says that ‘Barnabas Aid’, a UK based group with a major office in the Washington DC area, is more aggressive in developing the argument about the Islamic threat to Christian minorities, and Pakistan has figured in that work. Its leaders are linked with anti-Islamic activists and think tanks in the US. A more classic Christian Right Evangelical activist is Gary Bauer, head of ‘American Values’, also inveighs against Islamic radicalism. Though he has not talked much about Pakistan per se, he does want a more aggressive US foreign policy posture towards the Muslim majority countries.²²⁵

In this scenario, attempts have been made to foster mutual respect and understanding to counter religious extremism and intolerance by engaging in dialogue not at the civil society level but government has also encouraged it from time to time. It is however, important to note that engagement in dialogue needs diversity, that is to say that, to talk to others who do not share similar religious beliefs or ideas. This can be termed as relational diplomacy. To minimise religious and sectarian violence, efforts have been made to promote religious harmony and mutual understanding. According to Akbar S. Ahmed, Quaid-e- Azam Muhammad Ali Jinnah was a strong advocate of interfaith harmony. The interfaith credentials of Jinnah assured the minorities of their bright and prosperous future in Pakistan.²²⁶

The American scholars visiting the country urged to put in efforts for peace building and prosperity in Pakistan, not only by the US government or military but the US foreign assistance organizations and NGOs and faith based groups as well. These are encouraged to focus on developing true partnership with Pakistani

²²⁵ Personal communication with Allen D. Hertzke via email in Gainesville, Florida on June 28, 2012.

²²⁶ Shah, Reviving an interfaith legacy, ...

networks that will strengthen state resiliency and build social and cultural infrastructures to counter extremist groups,²²⁷ that are engaged in violence and are a threat to national security.

Many local and foreign Faith Based Organisations (FBOs) and NGOs took up the task of humanitarian assistance and trust building and tolerance among different faith communities in Pakistan after 9/11. These organisations also create cross-cultural and interfaith partnerships that could help empower local communities to deter the violent ideologies adopted by the extremist, an important element to peace and prosperity in Pakistan.²²⁸

Similarly, efforts were made for inter-religious dialogue in Pakistan by initiating ‘Faith and Friends’ – a program of Pakistan’s World Religions Council to encourage dialogue between the Muslims and the Christians in KPK.²²⁹ After 9/11, Institute of Global Engagement (IGE) that works for interfaith cooperation through dialogue, became active partner with Faith and Friends.²³⁰ Because of this engagement, the MMA government helped renovate two churches, one at the Peshawar University and the other at Nathiagali, a small hill station in KPK.

There are other instances where individuals have taken interfaith initiatives. In a small village in Punjab where majority of population is Muslim with only eight Christian families, Muslim and Christian in escalating situation of religious extremism are living in harmony. Despite the presence of mosques in the village, Muslims felt the absence of a place of worship of Christians and are constructing first ever church in village.²³¹ Another example is the existence of a church and a mosque separated by a wall in Faisalabad. There has not been any violence or controversy between the two communities,

²²⁷ Sarah Dreier, (May 21, 2009).

²²⁸ Ibid

²²⁹ Interview with Qibla Ayaz held at Peshawar on September 26, 2011.

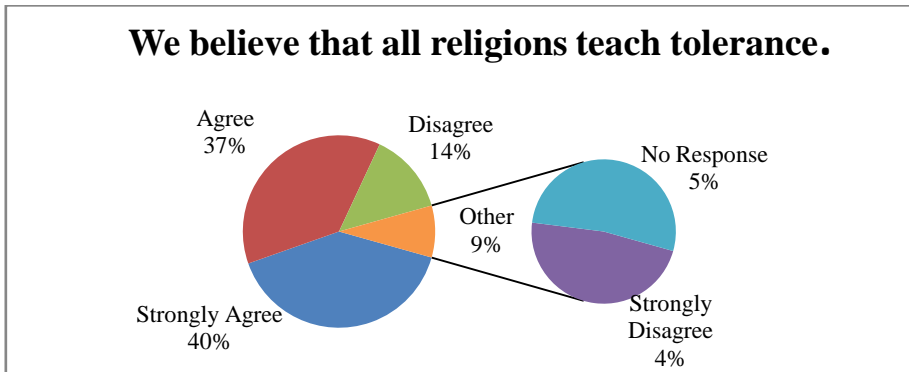
²³⁰ Ibid., September 26, 2011.

²³¹ “Zara Hatke”, Dawn TV Talk show, Wednesday June 8, 2016.

infact they have adjusted prayer schedules in order to not disturb each other.²³²

It is true that religion can be used as a channel for peace making, instead of a basis for conflict. Islam is not a narrow religion because it clearly tells that Jesus (PBUH), Moses (PBUH) and Ibrahim (PBUH) are part of silsila (order) of prophethood It is in the Quran that “we make no distinction amongst the prophets”.²³³ Dialogue among religions is one way of creating an atmosphere of peace and tolerance. Marginalisation of any religion leads to confrontation. The following chart show the views of the respondent in a survey on the question that all religion teach tolerance where 40 percent strongly agree, 37 percent agree, 14 percent disagree, 04 percent strongly disagree whereas 05 percent did not respond.

Chart – 6



Therefore, communication and dialogue is always constructive and it is as much required in Pakistan²³⁴ as in any other country. In a conference, Ashrafi said, “today the Muslim world is bleeding, from

²³² Shafiq Khokar, Faisalabad: 20 Years of Christian and Muslims Praying Side by Side, May 20, 2016, <http://www.asianews.it/news-en/Faisalabad,-20-years-of-Christians-and-Muslims-praying-side-by-side-37546.html>, (accessed, May 22, 2016).

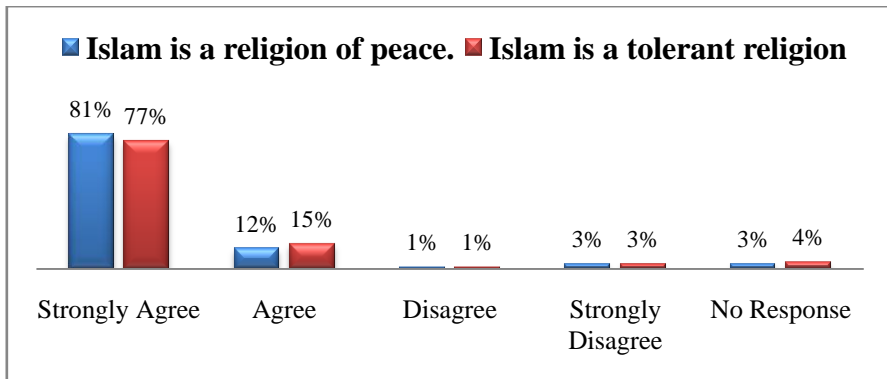
²³³ From interview with Sirajul Haq...

²³⁴ Skype interview with Hassan...

Syria to Palestine to Kashmir. Muslims are being killed, yet they are called the killers whereas Islam is a religion of peace but projected as a religion of violence. So it is a duty to spread the message of Islam to the world that extremists will not take over Islam and it is the duty of world peace builders from all faith, who talk about interfaith peace, to unite against the evil forces. He also said that the situation of religious minorities in Pakistan is much better than India, and we stand with them against any discrimination”²³⁵

Response to the question that Islam is a religion of peace also show that 81 percent of the respondents strongly agree, 12 percent agree, whereas 01 percent disagree, 03 percent strongly disagree and 03 percent did not respond. Among the respondents 77 percent strong agree, 15 percent agree on the question that Islam is a tolerant religion. However, 01 percent disagree, 03 percent strongly disagree and 04 percent did not respond to the question.

Figure – 8



In the same conference, Raja Zafrul Haq said “I don’t fear problem from non–Muslims but from misguided, so the misperception should be removed through dialogue”.²³⁶ The

²³⁵ Welcome address of Tahir Ashrafi at International Conference on the “Message of Islam” organized by Pakistan Ulema Council at Islamabad on February 10, 2016.

²³⁶ Inaugural Speech of Raja Zafrul Haq, “Message of Islam”...

Norwegian Ambassador appreciated the efforts of Ulema who are reaching out and mobilising people for interfaith harmony.²³⁷

Since there were suspicious about the interfaith dialogue agenda of the West, Maulana Taqi Usmani stated that interfaith dialogue is good but not if asks to make changes in our religion.²³⁸ Naeemi stated that Inter faith comes later. what is important is to solve the issues which stand on the basis of religion and internal problems are to be solved without any foreign interference because foreign interference creates issues.²³⁹

Hendi suggests, “there is a need for more cooperation, coordination and exchange visits to shape that agenda on both sides. The engagement of clergy, politicians, students and scholars is required from both sides. Moreover, Pakistan is to be represented well by its representative at Washington DC so as to be capable enough to support interfaith dialogue.”²⁴⁰

From the above discussion, it is implied that interfaith dialogue is important for interfaith harmony and countering violent extremism. The 31 percent of the respondents in a survey strongly agree, 56 percent agree that interfaith dialogue is important to counter violent extremism whereas 05 percent disagree, 02 percent strong disagree and 06 percent did not respond. On the question that interfaith can help in creating a tolerant society, 34 percent strongly agree, 52 percent agree, 05 percent disagree, 02 percent strongly disagree and 07 percent did not respond. Similarly, 23 percent respondents strongly agree and 52 percent agree that the government should establish a separate interfaith office, whereas, 15 percent disagree, 04 percent strongly disagree and 06 percent did not respond to the idea.

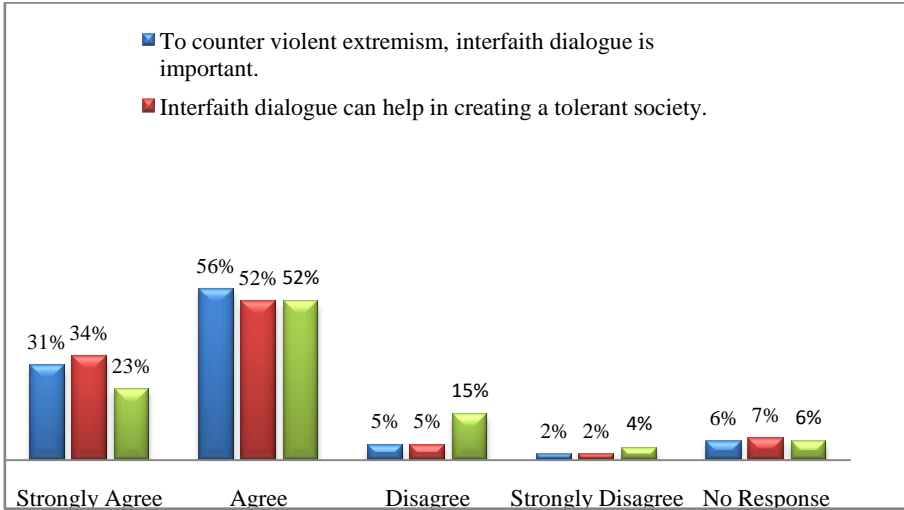
²³⁷ “Message of Islam”...

²³⁸ Personal telephonic conversation with Mufti Taqi Usmani at Karachi on February 29. 2009.

²³⁹ From Interview with Naeemi...

²⁴⁰ From Interview with Imam Yahya Hendi. op.cit.

Figure – 9



Conclusion and Recommendations

IRFA was passed to promote religious freedom abroad as a foreign policy goal of the US. While there are debates on the inconsistency and unfair implementation of IRFA, there are also debates that religious freedom and democracy has been ignored by the US in the realm of national interest. It is argued that the US had strong relations with many of the countries, which were recommended by the USCIRF to be put on CPC list. This study while exploring the concerns highlighted in country reports, also finds that the US maintained good relations with Pakistan under undemocratic governments and has not placed Pakistan on the CPC list because of its role in containing Communism and then terrorism, antithetical to their agenda of religious freedom democracy promotion.

The history shows that democracy has been accepted as the best form of government. The rulers, political parties and leaders and civil society equally support it, at normative or conceptual level, in Pakistan. The politically active quarters demand representative governance and participatory decision-making in economic and political fields. Despite experimentation with democracy and phases

of military rule, the theoretical commitment to democracy and participatory governance has persisted in Pakistan.²⁴¹

Four factors influence the willingness and ability of various groups to undermine democracy. The structural factors comprise of macro-level societal fundamentals, for example, democracy will be stable if per capita income and literacy rate is higher. Institutional factors include the relative strength of various societal institutions, for example, democracy is stable if political parties and judiciary are powerful in relation to the military. Strategic choice factors include the self-interest of powerful individuals, for example Zia and Musharraf's coups while facing termination by elected leaders. Lastly, transient factors denote to chance occurrences, which undermine democracy nationally, for example, the Soviet Afghanistan invasion strengthened the military and militants in Pakistan. Since structural and institutional factors are far more fundamental and less easily reversible than transient and strategic choice factors, democracy truly becomes stable when the former become favourable for democracy.²⁴²

Based on this argument, it can be said that democracy has been a difficult journey for Pakistan. As it took time to take roots, Andreas Schedler definition fits well on democracy in Pakistan. He says that consolidation of democracy is a condition in which probability of a democracy's breakdown is reduced to the point where one can feel reasonably confident that democracy will persist in the near (and not so near) future. It is further argued that the military now also seems committed to exercise requisite restraint and the constitutional amendments also acts as a restraining factor. The independence and power of media and the judiciary is an offshoot of democracy.²⁴³ Hence the present trends show a continuity of democracy in Pakistan.

²⁴¹ Hasan A. Rizvi, "Democracy in Pakistan" *State of Democracy in South Asia*,

²⁴² Niaz Mutaza, "A Stable Democracy", *Dawn*, March 26, 2013.

²⁴³ Huma Baqai, *Pakistan in Transition Towards a Substantive Democracy*, <http://storyofpakistan.com/pakistan-transition-towards-substantive-democracy> (accessed, March 10, 2016).

The phenomenon of violent extremism is quite diverse in Pakistan context as it is mostly seen in religious prism ignoring other factors associated with it. This is more so when the scholarship on religious extremism in Pakistan is mostly centred on the subject that the process of Islamization in 1970s gave birth to religious divide in Pakistan. There are others who argue that religious extremism in Pakistan increased during Pakistan's partnership with the West's ideological war against the Soviet Union in the Cold War.

Pakistani society is a combination of religious, regional and national identities. Majority of them can be placed somewhere in the middle of the two extremes, i.e., whether they are more religious in thought and practice or more secular, but they cannot be labelled as fundamentalists. There are people who may support a greater role of religion in politics but they do not vote for religious political parties. Those with secular views support separation of both and are labelled as liberals, supporting Western policies.²⁴⁴

That is to say there is interplay between different factors leading to religious extremism and intolerance in Pakistan. It is a fact that religious extremism has been fueled by terrorist organizations and their links with hostile foreign agencies. Whether it is ethnic or religious conflict or violence against religious minorities, it presented fertile grounds for foreign powers to manipulate the situation in their interest. Similarly, the killing of sectarian and religious minorities has also been manipulated by foreign agencies.

In Pakistan, the roots of discrimination against religious minorities can be associated with different factors and all the factors are interdependent, yet it is seen in the context of religion. The history shows that there was peaceful coexistence in Pakistan before its alliance with the West in Afghan War. After 9/11, a significant increase in violence and deterioration of security situation affected

²⁴⁴ Minhas M. Khan, "Countering Violent Extremism in Pakistan: An Appraisal of Pakistan's CVE Initiatives", *Strategic Studies*, 35 (4) (Winter 2015).

Pakistan mostly. Despite the government's effort to curb religious extremism and terrorism, the pattern of disturbing events continued unabated.

Similarly, people do not talk about sensitive issue like blasphemy. Interest groups misuse the law in Pakistan. However, the criticism on the Blasphemy laws in the USCIRF reports can be challenged, as the law exists in many of the western countries. It is, however, the misuse of Blasphemy law for vested interests that needs to be addressed. The governments on many occasions have moved in the direction to take up the matter in the parliament. Recently punishment of the Mumtaz Qadri who killed Governor Taseer is a positive development, which will help in strengthening the provisions in the law to stop its misuse.

The government has also shut down various suspected and unregistered *Madaris* in the country. Under the NAP, both Federal and Provincial governments are working towards elimination of religious and sectarian violence, countering hate speech and extremist material, dismantling communication networks of terrorists and ending sectarian terrorism.²⁴⁵ Moreover, civil society is also working towards achieving interfaith harmony through dialogue among different faiths. It is fact that diversity is the will of God and should be accepted by all. All religions teach peace which along with shared culture and social values can be built upon enhance interfaith harmony in Pakistan. Interfaith dialogue and harmony are possible only on the basis of equality, respect and acceptance. We have the example of the Madina Charter to look for solutions to the interfaith problem in Pakistan.²⁴⁶ The renewed efforts of the government to curb religious extremism include military operations, which have been proving successful. It can be safely said that the national resolve to fight religious extremism and terrorism is unflinching.

²⁴⁵ Riaz ul Haq, "Over 250 Madrassas Shut Down Countrywide", *The Express Tribune*, February 25, 2016.

²⁴⁶ Interfaith Harmony in Pakistan: Prospects, Challenges, <http://pakpips.com/art.php?art=57>, (accessed March 19, 2016).

Dealing with religious extremism is a long-term process, which needs commitment, mutual consensus and collective efforts from all stakeholders at the policy level. The government's decision and strategy of zero tolerance towards terrorism and violent extremism is a step in the right direction, however, there is a need for innovative political, economic and educational strategies to prevent future threats. It is only possible in a strong democratic society which empowers people who are able to influence their governments on key issues.

It is important to realise that building strong and viable institutions take time. For a sustainable democracy, a collective effort of political and religious leaders, civil society, academia, Judiciary and media, is required to strengthen democratic institutions. It is more important that for the US to reassess its policy towards Pakistan. It has to support Pakistan to grow democratically and help in curbing religious extremism by avoiding duality in its policy towards Pakistan. It should support democratic institutions in the country and acknowledge that to win war against extremism, Pakistan is an important state for her in the region. It is time that the US re-evaluates its policies in South Asia, where Pakistan should hold relative importance and priority in US foreign policy for peace and stability of the region and world at large.

Based on the findings of the study, the following recommendations suggested:

- Democracy guarantees all rights. The Federal Government needs to make genuine efforts to bring all the stakeholders to the table, including religious minorities in political system for strong democratic institutions.
- The Federal Government should ensure that the provinces are dedicatedly working to remove text inciting hate and biases against sects of Islam and religious minorities from textbooks.
- It is important to take tangible measures to revise, modernize and regulate *Madaris* syllabus and advance public education on Pakistan's diversity. The government should introduce courses in educational institutions on related issues.

Moreover, “there should be a monitoring body to monitor the progress of Madaris on reforms”.²⁴⁷

- The government needs to introduce training programmes for clergy and Madaris teachers at key research institutes and universities of Pakistan. After training, they will be able to become powerful agents for educational development and peace and stability, by initiating their own interfaith and peace building programmes to promote a culture of tolerance and to counter extremists’ narrative. Ittehad-i-Tanzeemat-i-Madaris Pakistan (ITMP) can play an important role in this regard.
- The government should keep a check on mosques and particularly the Friday sermons through local communities. The imam in a mosque should be a madrassa qualified person and appointed by the government.
- The government should not allow the regrouping of banned outfit under a different name and the electronic media should not give any coverage to the activities of banned groups.
- It is important to create a national counter–narrative to refute the extremist’s narrative. For that to happen, we need to engage in dialogue with each other. It has to be done at both the individual and the policy-making levels, by bringing different faith communities to actively engage in cutting edge research, convene seminars and workshops for further capacity building, and create space for exerting influence on policy making from their expertise in respective fields.
- To curb religious extremism and intolerance, the government should engage and support civil society organization, academics, policy analysts, journalists and advocates and adherents of different religions, in their efforts to promote tolerance and peaceful coexistence as it existed in the past.
- The government should hold national seminars and conferences regularly to evaluate religious extremism, discrimination and persecution in order to improve upon the weaknesses in policies on the issues and share the proceedings with policy-making circles.

²⁴⁷ From interview with Sabookh Syed...

- Lastly, to achieve the above objectives, a sustainable democracy is required which can be enhanced through public awareness and participation in political process. The government should fully guarantee freedom of speech, press, the right to assembly and association, right to vote and be elected to the public office on the criteria of being a Pakistani national only. In this regard the media can play an important role by disseminating accurate and reliable information that can allow the masses to make informed decision. This also holds the people in power accountable.



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