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The Christian Minority in Pakistan: Issues and Options.

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The Christian Minority in Pakistan: Issues and Options.

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

Mohammed Jinnah, 1947

Introduction

Two acts of violence briefly brought international attention to the plight of Christian communities in Pakistan in the aftermath of 9/11. In the first of these 16 Christians were shot and killed, including six children, and two wounded by gunmen during worship at St Dominic's church in the eastern town of Bahawalpur on 28th October 2001; in the second a grenade attack on a Protestant church in Islamabad killed five, including a U.S. Embassy employee and her 17-year-old daughter on 20 March 2002. As one of America’s key allies in the international war on terrorism, Pakistan’s military government was embarrassed by these attacks, but sought to dismiss them as the actions of fanatics whom the state had quickly rounded up and imprisoned. The Pakistan government pointed to the presence of many Christians amongst Pakistan’s ruling elite and in the higher ranks of its armed forces as evidence of official faith-tolerance.

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

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3 A very helpful overview which discusses the stratification of Pakistan’s Christians is: Theodore Gabriel, Christian Citizens in an Islamic State: The Pakistan Experience, Ashgate, December 2007.
These figures are the more serious because of the relatively small size of the Christian communities in Pakistan whose numbers in total have officially been estimated to be around 2-3% of the population of Pakistan, in other words a community approximately 4-6 million in size, split approximately 50-50 between Protestants and Catholics. However many Christian sources within and outside Pakistan estimate the Christian community in Pakistan to be at least twice that. Approximately 80% of Christians live in the Punjab, with around 14% in Sindh, 4% in the NWFP, and 2% in Balochistan.

The gravity of anti-Christian violence comes into focus through specific examples. On 20th September 2001 13 year old Christian Riaz Masih was beaten to death in Rawalpindi; on 5th August 2002 assailants attacked a Christian church at Muree killing seven; on August 9th 2002 grenades were thrown at Christian worshipers in Taxila killing four nurses and injuring 20; on September 25th 2002 gunmen entered a Christian welfare organisation’s office in Karachi tied up seven workers and executed them with bullets to the head; on 5th January 2004 Father Mukhtar Masih Barkat was shot dead in Multan; in May 2004 Samuel Masih became the seventh person accused of blasphemy to be murdered [in this instance beaten to death by a police officer with an iron bar] before Pakistan’s courts could deliver a verdict; in the same month Javed Anjum was kidnapped and tortured for five days by students in a madrassa in Toba Tek Singh before dying subsequently of his injuries; in April 2005 a Christian NGO worker Barbar Sampson and his driver were murdered in Peshawar; in November 2005 Christian homes and schools were destroyed by a rampaging mob in Faisalabad, and between 7-12 August 2006 Christian homes were attacked in villages on the outskirts of Lahore – particularly around Sharqpur - with many injured, three people severely injured and one missing presumed killed.

The scope of this violence and intimidation is illustrated by further examples. On January 15th 2004 a car-bomb exploded outside headquarters of the Pakistan Bible Society in Karachi injuring 16; in April and May 2004 two Christian girls, aged just two and a half and seven, were raped near Lahore, their ordeals failing to subsequently interest the authorities; in June 2004 a homemade bomb was thrown at a church in Kohlu in Baluchistan; in March 2005 madrassa students attacked the construction site of a church in Islamabad injuring 65 Christians and leading the authorities to close the church; also in March Shahbaz Masih was tortured and threatened with death if he did not convert to Islam; in November 2005 three

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5 The NGO Pakistan Christian Congress, for example, puts the figure at 15 million Christians in Pakistan. See: www.pakistanchristiancongress.org There may be a strong political motive in keeping the Pakistan government estimate of Christians in Pakistan low, given that the number of seats allotted to Christians in national and provincial assemblies has remained fixed since the 1980s despite the expansion of the number of the total seats in those assemblies and the burgeoning population of Pakistan over the past 25 years. I am grateful to Dominic Moghal of the Christian Study Centre, Rawalpindi for discussion on this point. He also suggests that about 98% of Christians in Pakistan are Punjabi [irrespective of where they live in Pakistan] and that the remainder are of Goan, India or Anglo-Indian origin. See Dominic Moghal “Building the Kingdom of God on Earth with Special Reference to Pakistan through the Work of the Christian Study Centre”, available from: http://www.sedos.org/english/moghal.htm:
churches, a convent and the homes of six Christian families were set on fire by a rampaging mob some 1,500 to 3,000 strong in the Sangla Hills area; in December 2005 some Christian families were displaced from their homes in and around the Sangla Hills in order to make way for Muslim families affected by the October earthquake, in February 2006 Christian churches, schools and homes were attacked in reaction to the publication of controversial cartoons by a Danish newspaper, in June 2006 a Christian stone mason Nasif Ashraf was severely beaten by a mob for drinking out of a communal glass, and in June 2007 a young Christian man was tortured and gang-raped by up to 30 men for refusing to convert to Islam 7.

As a result of these and many hundreds of similar crimes, which continue to the present day, the US State Department’s Commission in International Religious Freedom [USCIR] placed Pakistan on its list of “Countries of Particular Concern”, stating in 2005 that “successive governments have severely violated religious freedom in Pakistan”8. That this charge is levelled specifically against governments in Pakistan is significant. Similarly Minority Rights Group International, in its annual “State of the World’s Minorities” reports for both 2007 and 2008 places Pakistan in the top ten [out of nearly 200 states] of its lists of states violating minority rights, arguing, inter alia, that the importance of Pakistan for the “war on terrorism” has led western countries, in particular the United States, to ease its official pressure on Pakistan for the improvement of the situation of its minorities9.

The cumulative evidence is instructive because it shows that violence against Christians is widespread across the whole of Pakistan, from Muree in the North to Karachi in the South and from Lahore in the East to Peshawar in the West. It shows that violence is rural and urban, including in the capital; and that it involves ad hoc apparently spontaneous acts of violence, as well as organised violence and violence in which government authorities, local and national, collude either directly or by omission10. It evidences a complex and multi-dimensional pattern of persecution, intimidation and lack of protection. It further shows patterns of retaliatory violence in which Christian communities bear the brunt of Muslim frustrations with Western policy or with events that take place in the West which are seen to be anti-Islamic, such as the publication of the Danish cartoons. Pakistan’s Christians thus stand as a cipher for the West in the eyes of some Muslims in Pakistan and pay the high price of that perception.

The explanation for all this violence and intimidation cannot consequently be found wholly in narrow regional, sectarian or community disputes nor in personal rivalries, even if these might be contributory or conditioning factors. Rather it must lie in significant measure in systemic and persistent factors which operate across Pakistan. The argument which will be made here is that Christians in Pakistan are caught in a

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7 These stories and many, many, others like them are drawn from a variety of sources including CLAAS, the Barnabus Fund, Amnesty International, the Human Rights Commission of Pakistan, and the Pakistan Christian Congress. For links to some of these organisations see the list of resources at the end of this paper.
8 See: http://www.uscirf.gov/index.php?option=com_content&task=view&id=1422&Itemid=1
9 See http://www.minorityrights.org/publications
context of violence and threat, the fabric of which is woven from the warp of what the Qur’an, Hadith and subsequent Islamic writing and practice have had to say about Muslim relations with Christians, and the weft of Pakistan’s particular politics, law and society.

The Status of Christians in Pakistan

There are two main historical currents which shape the status of Christians in contemporary Pakistani society. One relates to perceptions of Christians in Islam; the other to the persistence of caste prejudices in Pakistan that have their origins in the caste structures of the pre-partition Indian subcontinent.

In relation to the former, the treatment of non-Muslims within Islam is the subject of much debate but a useful point of departure is the concept of *dhimmi* which, in its sharpest form, can in turn be expressed in relation to the concept of *jihad*. Both these ideas emerged in Islam at the time when the Muslim empire was expanding and Muslims were encountering and defeating non-Muslims and both ideas are informed by the seemingly endless victories of Islamic rulers during this period and by the notion of the Qur’an as the ultimate and final revelation of God which thus confers on Muslims an unassailable superiority over non-Muslims. Since much of the land Muslims were conquering were populated by Christians and Jews the ideas which were forged in this period were often forged in relation to Christian and Jewish communities. Drawing on the Qur’an and Hadith Islamic scholars and jurists attempting to give legal and religious structure to *jihad* consequently established a framework for the relationship between Muslims and non-Muslims which effectively classified the latter *[infidels]* into three categories: (a) those who oppose the spread of Islam with arms *[harbis*, from *dar-al-harb*, the house of war*]; (b) those who belong to the lands of truce *[dar-al-suhl]*; and (c) *dhimmis* those who have “surrendered to Islamic domination, exchanging their land for peace and protection”.

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

It is the third category – *dhimmi* – which is most pertinent to Christians within Pakistan and thus the concept requires elaboration here. The notion of *dhimmi* as a protected group carries with it the embedded idea not of care but rather of protection from the on-going *jihad*12. Dhimmi thus accept a treaty of subjugation [*dhimma*]

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12 Although literally meaning “a struggle or striving for Islam”, *jihad* in this early context of Muslim expansion carried for the most part the connotation of warfare. See: Michael Bonner, *Jihad in Islamic
which profoundly prescribes their freedoms and rights as they would be understood in the modern world. They were protected in this sense only from forced conversion, expulsion or violent death. It is important to note that this status arises because unbelievers are themselves further sub-divided in Islam into *ahl al-kitab* – typically Christians, Jews and Zoroastrians - who were eligible for *dhimmi* “protection” because they are peoples with a revealed sacred scripture with links to the Qur’an, and *kafirun*, other non-believers who have no such scriptural link and for whom even *dhimmi* protection may be unavailable.

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

(a) inequalities with regard to taxes and penal law
(b) the refusal of *dhimmi* testimony by Muslim courts
(c) the wearing of special clothes to distinguish the *dhimmi*
(d) restrictions concerning the practice of their religion
(e) the overall humiliation and abasement of *dhimmi*.

The following from the authoritative twelfth century Muslim jurist and theologian Al-Ghazali is not untypical:

“The dhimmi is obliged not to mention Allah or his Apostle … Jews and Christians must pay the jizya [poll tax on non-Muslims] … on offering up the jizya the dhimmi must hang his head … their houses may not be higher than the Muslims … [T]he dhimmi may not ride an elegant horse or mule … he may not walk on the good part of the road … [T]hey have to wear an [identifying] patch on their clothing and [in public] must hold their tongues”.

The seventeen century Mughul, Shaykh Ahmad Sirhindi developed the point:

“The real purpose in levying jizya on [the non-Muslims] is to humiliate them to such an extent that, on account of fear of jizya, they may not be able to dress well or to live in grandeur. They should constantly remain terrified and trembling. It is intended to hold them under contempt and to uphold the honour and might of Islam”.

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More recently the twentieth century French writer Antoine Fattal similarly noted his observations across the Islamic world that:

“in no way is the dhimmi the equal of the Muslim. He is marked out for social inequality and belongs to a despised class; unequal in regard to individual rights; unequal in the law courts as his evidence is not admitted by any Muslim tribunal and for the same crime his punishment is greater than that imposed on a Muslim”16.

Before any comparison between the concept of dhimmi and the situation of contemporary Christians in Pakistan can be discussed a number of issues need to be cleared away. Firstly, Christians in Pakistan have not been conquered by Muslims. Rather the Christian communities in present-day Pakistan arose through a sequence of historical pathways, the main elements of which began in Christian evangelism of the pre-Islamic era, the era of Islamic-Christian engagement, the colonial era17, and the post-independence era18. As a consequence Christians find themselves a minority in a land in which some may have a much longer antecedence than their Muslim neighbours19. In this context – and since Islamic jurisprudence offers no clear terminology or prescriptions for such minorities - what is relevant here about the concept of dhimmi is whether in contemporary Pakistan’s legal, political, and social systems there are to be found laws and practices which reflect those of dhimmitude and whether in the day-to-day lives of Christians they are treated by some of the Muslim majority in ways which similarly reflect dhimmi status.

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

Thirdly, it is important to keep in mind that the Christian experience in Pakistan is diverse. Amongst Christian members of Pakistan’s politico-military elite and urban middle-class that experience may well be relatively benign20 but what most concerns us here is the experience of the overwhelming majority of Christians in Pakistan who are rural and urban poor. An important embedded point is whether the situation of Pakistan’s Christians is any worse than that of the Muslim rural and urban poor in Pakistan. The latter experience poverty, poor education, political corruption,

20 However, even the richest and most well connected Christians in Pakistan do not enjoy full human rights or fully equal citizenship.
insecurity, powerlessness, bondage, state repression, intimidation and sometimes violence as part of their expected pattern of life. The argument here is that the situation of Christians [and other minorities] is worse because in addition to facing all the problems which flow from being poor and powerless in Pakistan, Christians [and other minorities] face additional difficulties and insecurities which arise specifically from their minority status. It is these latter difficulties that have to be addressed before Christians can be fully part of wider efforts to improve the overall conditions of Pakistan’s rural and urban poor.

The second historical strand informing the status of Christians in Pakistan is that which arises from the caste structure, widespread across the Indian subcontinent. Many, and according to some sources the majority of, contemporary Pakistani Christians are the descendents of “untouchables” who during the era of colonial rule converted en masse to Christianity in the hope of securing a better dispensation from their colonial rulers. For many Pakistani Muslims as a result, contemporary Christians carry the stigma of the lowest caste inferiority, which may in turn reinforce any prejudices which arise from the resonance of dhimmitude.21

Such prejudices may indeed have been systematically reinforced over decades through the national school curricula in Pakistan. In their landmark 2003 study, The State of Curricula and Textbooks in Pakistan, Nayyar and Salim, noted, inter alia, that the curricula promoted:

“perspectives that encourage prejudice, bigotry and discrimination toward fellow citizens, especially women and religious minorities, and toward other nations”22

Interwoven with these historical, religious, and social strands, are the specifics of Pakistan’s political and legal system as these relate to minorities.

The Constitutional and Legal Context
Pakistan has a dual system of justice. The earliest, the Pakistan Penal Code [PPC] has its origins in British colonial rule and was enshrined in Pakistan’s three constitutions [1956, 1962 and 1973]. The 1973 constitution, widely considered the most liberal, contained certain protections for minorities, a number of which clearly have their eye on safeguarding against dhimmi practices, including [subject to “law, public order and morality”]:

- Article 20: freedom to profess religion and to manage religious institutions;
- Article 21: safeguards against taxation of specific religions;

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21 For this history see: Linda S. Walbridge, The Christians of Pakistan, Routledge/Curzon, 2003. For more on the history of caste relevant to these issues see: Imtiaz Ahmad, Caste and Social Stratification Amongst Muslims in India, South Asia Books, April 1978; and, Robert Frykenberg and Alaine Low, Christians and Missionaries in India: Cross-Cultural Communication since 1500, with Special Reference to Caste, Conversion and Colonialism, William B. Eerdmans Press, February 2003.
• Article 22: safeguards around education with respect to religious freedom;
• Article 25: equality of citizenship;
• Article 36: protection of minorities.

This system has been challenged since the later 1970s by Sharia or Islamic law, which was introduced by General Zia ul-Haq from the late 1970s. Over the last 30 years Pakistan has seen the erosion of its secular plural legal system through systematic amendment of the 1973 constitution hand in hand with the steady assertion of Sharia and it is these two dynamics that have gradually crushed Pakistan’s Christian and other minorities.

The most important developments in this regard have been:

1) the introduction of Shariat benches in Pakistan’s High Courts from 1979 to rule on whether any existing law or provision of the law was “repugnant to Islam” and to amend any laws found so to be. This became a powerful mechanism for amending the 1973 constitution and for eroding the checks and balances within the PPC;

2) the introduction in 1979 of Hudood Ordinances which imposed hadd penalties for offences against the “boundaries” set by God in the Qu’ran. These related to areas such as drinking alcohol, taking drugs, theft, and adultery [Zina].

3) the introduction in 1984 of the Qanoon-e-Shahadat or “Law of Evidence” which reduces the value of court testimony of a Muslim woman and a non-Muslim male citizen to that of half a Muslim [and by extension that of a non-Muslim woman to one quarter of a Muslim man] or may rule non-Muslim witnesses as inadmissible entirely;

4) the introduction of a series of amendment to the Blasphemy Laws in the PPC [section 295], adding in 1982 section 295-B which provides for mandatory life imprisonment for desecrating the Qur’an, and in 1986 the even harsher section 295-C which mandates the death penalty for using derogatory remarks in respect of the Prophet;

5) the Eighth amendment of the Constitution in 1985 which created a separate electorate system, whereby Christians and other minorities do not vote in the same elections as Muslims, but rather vote separately for a fixed number of national and provincial Christian representatives. In the complex politics of patronage in Pakistan this has proven a disaster for Christians as it has meant that local leaders and land-owners who previously might have had to factor Christians into their political campaigns now had no incentive to do so. As a result Christians across Pakistan have been stripped of what protection local political enfranchisement might have afforded;


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

25 These are: four seats in the National Assembly, none in the Senate, 1 seat in Balochistan assembly, 1 in the NWFP, five in the Punjab and two in the Sindh assembly.
6) the 1988 Ninth amendment which, although not passed in its tabled form, was subsequently passed in a revised form through parliament in 1991 as the Enforcement of Sharia Act which, though watered down, made Sharia the supreme law in Pakistan and required all laws to be interpreted in the light of the Sharia;

7) the 1998 Fifteenth amendment which further tightened the reach and supremacy of Sharia and, more importantly, removed some of the legislative barriers to the enforcement of Sharia and to implementing the injunctions of Islam.

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

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

In relation to separate identity, though Pakistani Christians do not wear distinct dress the issue of their identity is an acute one given their vulnerability. Common names – such as Masih or Maseeh – or the use of Anglicised Christian names [Michael, Samuel, Joseph, etc] give away identity, as do Christian buildings and some semi-public Christian celebrations [most notably Christmas and Easter]. Similarly

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27 Though it is outside the scope of this paper very large numbers of Christians in the Punjab and Sindh are trapped in bonded labour or slavery in work like brick kilns and carpet-weaving. Around 80% of brick kiln workers in some areas are Christians working to pay off family debts long since paid in absolute terms, yet who remain illiterate and powerless to do anything about their circumstances. See, for example, Human Right Watch Asia, *Contemporary Forms of Slavery in Pakistan*, 1995. The plight of Pakistan’s bonded labourers came to international attention briefly with the murder of 12 year old Christian Iqbal Masih in 1995. Having escaped slavery Iqbal campaigned against bonded labour and was killed to silence him. See: Susan Kuiklin, *Iqbal Masih and the Crusaders against Child Slavery*, Henry Holt and Co, 1998.

28 There is some anecdotal evidence however that in areas of the NWFP controlled by Taliban groups Christians have been forced to wear yellow garments or tags to identify them, as has been previously recorded in Afghanistan, and in late 2007 Christians were instructed by Taliban groups to covert to Islam and close their religious facilities on pain of death. See respectively: “Islamic Afghanistan Orders Non-Muslims Wear Yellow Tags”, Iranian Press Service, 2001, available at [http://www.iran-press-service.com/articles/2001/may_2001/taleban_tagging_23501.htm](http://www.iran-press-service.com/articles/2001/may_2001/taleban_tagging_23501.htm) and [http://www.christianpost.com/article/20070512/pakistan-christians-receive-threatening-letters-urging-conversion.htm](http://www.christianpost.com/article/20070512/pakistan-christians-receive-threatening-letters-urging-conversion.htm)

29 Christians are often especially vulnerable at these celebratory periods. See for example: “Christians targeted in Pakistan over Easter period; twelve year-old Pakistani Christian girl gang-raped on Easter day”, CSW, 27 April 2007 [http://www.csw.org.uk/latestnews/article.php?id=619](http://www.csw.org.uk/latestnews/article.php?id=619)
official documentation such as passports, identity papers\(^{30}\), registration documents and so forth which insist on an entry for religious grouping also reveal identity, something which has been the subject of much Christian anxiety and opposition\(^{31}\). It is fear of how identification of Christian individuals, families and groups might be used by the authorities that leads many Christians to hide their beliefs from the authorities\(^{32}\), a decision which also serves the interests of those who wish to underrepresent the size of the Christian community.

While in theory there is little restriction on the freedom of Christians to practice their religion [except in relation to evangelism and proselytization for conversion of Muslims which could be suicidal] this is not the case in practice. Many Christian churches from the colonial era remain locked up and inaccessible to Christians, many churches over the years have been burned down or demolished\(^{33}\), and Christians find the path to the maintenance or construction of Churches often blocked by severe bureaucratic and local authority delays, corruption, and opposition – often violent – from local Muslims\(^{34}\).

In the case of the interplay between the Blasphemy laws, the Hudood Ordinances and the Qanoon-e-Shahadat Law of Evidence the consequences have been quite literally lethal for some Christians. Many Christians have found themselves accused of blasphemy or Hudood crimes on the basis of nothing more than the say-so of one or more Muslim accusers, often with a personal grudge or objective in mind, have then found themselves promptly thrown into jail, often for months or years, where they are subject to violence from other inmates and to torture from police and prison staff. Some have been killed in prison, while those who survive the ordeal often then find themselves subject to trials in which their evidence is given little weight and in which the death penalty may be the outcome\(^{35}\). The deaths of Samuel Masih on 28th May 2004 and Nasir Masih on 19th August 2004 illustrate this process almost exactly. Samuel was accused of throwing waste at a mosque and was beaten and then arrested and thrown into Lahore’s central jail on 23rd August 2003. He was held in the jail, charged with blasphemy, until 22nd May 2004 when he was transferred to Gulab Devi hospital having contracted tuberculosis. Two days later he was brutally attacked by a police officer and died of his injuries. Nasir Masih was arrested on 14th August 2004

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\(^{30}\) This point is made in the US State Department report on Pakistan for 2006. See: 
http://www.state.gov/g/drl/rls/irf/2006/71443.htm

\(^{31}\) See for example the March 2005 federal decision to reintroduce a declaration of religion on the Pakistani passport: 
http://www.globalsec.org/wmd/library/news/pakistan/2005/pakistan-050324-287d0f4e.htm and 
http://findarticles.com/p/articles/mi_m1058/is_11_122/ai_n13806516

\(^{32}\) See Patrick Sookhdeo, op cit, pp 69-70.

\(^{33}\) Sometimes this is even done in retaliation for perceived injustices to Muslims outside Pakistan which have nothing to do with Christians or Christianity. For example many churches were attacked or demolished in Pakistan in “retaliation” for the destruction of the Babri Mosque by Hindi nationalists in December 1992. See: I A Rehman, Minorities in South Asia, UNHCR, May 2003. See also: Declan Walsh, “Attacks leave churches gutted and religious minorities living in fear”, The Guardian, Monday November 28, 2005. available from: 
http://www.guardian.co.uk/pakistan/Story/0,,1652207,00.html

\(^{34}\) Recent examples of violent local opposition to churches occurred in Chak on 17 June 2007, in Gowindhi [near Lahore] on 15th October 2007 and in Gujranwala on 25th March 2008. See respectively:  
http://www.crossrhythms.co.uk/articles/life/Pakistan__Mob_Confess_To_Church_Attack/28165/p1/ and  
http://www.bosnewslife.com/index.php//page.newsPayment&id=3221 and  
http://thepersecutiontimes.com/church-attacked-in-pakistan/2008/03/26/  

http://www.franciscansinternational.org/docs/statement.php?id=242
having been accused by some Muslims of theft. He was tortured for three days by five policemen at the Saddar police station and brought before a Magistrates court on 16th August where, despite his condition, he was jailed. Three days later, having been denied prompt medical attention, he was transferred to a general ward but died of his injuries the same day.  

In 2002 the Pakistani Christian NGO CLAAS, summed up the overall situation of Christians in Pakistan in this way:

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

In the same year this was written the military ruler of Pakistan, General Pervez Musharraf, made one of his of annual Christmas broadcasts to Christians, stating:

“On the joyous occasion of Christmas, the birth anniversary of the Prophet Jesus, on behalf of the Pakistani nation, I would like to extend Christmas greetings to the Christian community the world over and in Pakistan. May this Christmas and the coming new year bring peace, prosperity and happiness to all”.  

The Musharraf Era

General Pervez Musharraf had come to office through a military coup in October 1999 and initially set out a political and social agenda which, at first blush, appeared to be moderate and modernizing in its outlook and intentions for Pakistan. As part of this he stated unequivocally:

“[In Pakistan] … minorities enjoy full rights and protection as equal citizens in the letter and spirit of true Islam”.  

38 The full text of this speech is available at: [link]
39 See Amnesty International document archive at: [link]
Under some western pressure, but consistent also with his own Islamic faith, Musharraf made a series of attempts to revise Pakistan’s laws and constitutional amendments and to introduce reforms as these related to the repression of religious minorities.

In 2000 Musharraf tried to amend the way the blasphemy laws were implemented, in particular to try to ensure that senior police officers were obliged to investigate allegations of blasphemy to see if they could be substantiated before the alleged blasphemer[s] were arrested and charged. In May 2000, under severe pressure from Islamic organisations and Islamist groups, Musharraf was forced to back down and abandon his reforms. Four years later in 2004, Pakistan’s National Assembly succeeded in passing amendments which implemented similar reforms, but the overwhelming evidence across the country since 2004 is both that police forces have not observed these changes, that Christians [and other minorities] are still directly imprisoned and charged with blasphemy on the say-so of Muslim accusers, and that local and national government authorities have not been willing to move against police and legal authorities to ensure the amended laws are observed. An attempt by a Christian parliamentarian in 2007 to further soften the blasphemy laws was rejected by parliament in May of that year. In the same month the Islamist MMA, on whom the Musharraf government had depended electorally, introduced and found parliamentary support for a bill to make apostasy [conversion from the Islamic faith to another] punishable by death. The bill fell when the MMA failed to contest the 2008 elections and Musharraf’s coalition government was defeated.

On 16th January 2002 the Musharraf government announced plans to scrap the Separate Electoral System [SES] that disenfranchised minorities so profoundly. At first welcomed by Christians the Joint Electoral System which succeeded the SES soon became as much a source of anxiety as the SES had been, with some Pakistani Christian organisations exhorting Christians to boycott both the 2002 and the 2008 elections held under the JEC system. The JEC reconnects Christians with local Muslim politicians by having the Christian vote restored as part of the joint political franchise. However, it is the subsequently elected Muslims who then get to decide...
which Christians take up the small and fixed number of seats in the national and provincial assemblies. The effect of this is to sever the direct voting link between Christian voter and Christian representative. Moreover Musharraf’s reform did nothing about either the under-allocation of seats to Christians in the National Assembly or about the absence of any seats in the Pakistani Senate for any minority. With respect to the former, there are just four seats set aside for Christians in an assembly of 342 seats, little more than one percent. Depending on which figures one accepts for the Christians community [8-12 million being the most likely range], proportional representation ought to insist on at least 16-24 seats for Christians. At the time of writing the All Party Minorities Alliance [APMA] has tabled a bill asking for an increase in the number of seats in the national and provincial assemblies and has welcomed a constitutional proposal for minority Senate representation in a new government package\(^48\).

In January 2002 the Musharraf government also introduced the Education Sector Reform plan, which was intended to modernise and, to a degree, secularise the curricula as a means to challenge the rapid expansion of madrassas in Pakistan offering strictly Islamic forms of education. Included within these reforms were measures to curtail the embedded prejudice against women and minorities within the existing national curricula. However, reform progress has been very slow, in part because of lack of state attention to these issues and in part due to insufficient resources being given over in particular to primary and secondary education.\(^49\)

In September 2004 Musharraf upgraded the minorities wing of the Ministry of Minorities, Sport, Culture, Tourism and Youth Affairs to a fully-fledged Ministry of Minorities. However this Ministry has been woefully under-funded, has lacked leadership and direction, and has had little or no impact on the situation of minorities in Pakistan\(^50\). At the time of writing the new civilian government of Pakistan has taken steps to revitalise the Ministry with a package of measures to promote minority welfare. It remains to be seen whether these measures will be properly resourced and managed and whether the package will in due course make a meaningful difference to the lives of minorities in Pakistan\(^51\).

In November 2006, after seven years of struggle and driven in part by the PPP, the Pakistan National Assembly finally passed the Women’s Protection Bill, an amendment to the Hudood ordinance. President Musharraf was instrument in giving this bill its final push\(^52\). The main change the bill provides is that rape victims may file charges under the criminal law instead of under the previous religious law [which


\(^{50}\) For the website of the Ministry of Miniroties [sic] see: [http://www.minorities.gov.pk/](http://www.minorities.gov.pk/)


\(^{52}\) It is worth noting that Musharraf has also resolutely promoted women in Pakistan’s legislature setting aside a minimum of 60 seats in the National Assembly as part of his project of “Enlightened Moderation”.\(^{15}\)
usually treats rape victims as adulterers or as the perpetrators of a sexual crime, many of whom have been jailed on the flimsiest of evidence, and which requires four male Muslim witnesses to confirm rape. This reform bill was strongly opposed by Islamist groups as well as by many in more moderate political parties, including in the PML-N. It has been evident since the bill was passed that the costs of seeking legal redress through the civil courts are prohibitive for many, that such an option does not in practice exist in many of Pakistan’s rural areas and in the provinces where Sharia holds sway; and that Christian, and other minority, women remain acutely vulnerable to rape and sexual violence. As critics of the reform point out, the bill still leaves the Hudood Ordinances themselves in place and unchanged.

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

Conclusions and Options

It is clear from the foregoing, the main arguments of which need not be restated, that the majority of Christians in Pakistan experience life as dhimmi in all but name, are de facto second-class citizens subject to violence, repression and intimidation and are almost powerless to do anything about their circumstances.

The rolling out of laws and constitutional amendments through the 1980s and 1990s which have moved Pakistan away from its founding secular pluralist vision, and which have gradually crushed the Christian and other minorities in Pakistan, are witness to the Islamisation of the nation. Equally the failure of intended reforms during the Musharraf era, despite some modest progress, is further evidence of the strength of Islamist groups in the country and of the growing Islamic conservatism of Pakistanis. Thus the Christian experience in Pakistan, and that of other minorities – including Hindus, Ahmadis, and the tiny number of Jews in Karachi – serves as a barometer of Pakistan’s claims to modernity and pluralism.

54 For more on this see: Hassan Abbas, Pakistan’s Drift into Extremism, M.E.Sharpe, 2005; Zahid Hussain, Frontline Pakistan, I.B.Taurus, January 2008; Mary Anne Weaver, Pakistan: In the Shadow of Jihad and Afghanistan, Farrar, Straus and Giroux, 2003; and Shuja Nawaz, Crossed Swords: Pakistan, It Army, and the Wars Within, Oxford University Press, Karachi, 2008.
The question these communities raise most starkly for Pakistan is: who rules? If it is the case that the February 2008 elections returned a pluralist government, that the Army is pro-western and moderate in orientation, that the vast majority of Pakistanis are similarly moderate, that Islamists are now a spent political force, and that Pakistan is a modern and pluralist Islamic nation, then there can be only trivial obstacles to meeting the long-standing demands of Pakistan’s minorities. The most urgent of these include:

1) repeal or appropriate amendment of the blasphemy laws, the laws of evidence, and the Hudood ordinances;
2) proper and proportionate political representation for minorities in all national and provincial assemblies;
3) a commitment by the state to defend the rights, interests and property of minorities and to punish and deter those who violate those rights, interests and properties;
4) restitution for those who have suffered under repressive legislation and have been the victim of threat, coercion and violence.

These changes would not be a distraction from the main challenges Pakistan faces in its present political and security crisis, but rather would be an essential step forward in the struggle now underway for the soul of Pakistan between Islamists and extremists and those who still hope that Pakistan can achieve a stable democratic liberal Islamic future.
Resources

The following are a number of organisations responding to the issues around the Christian community in Pakistan in different ways:

Anglican Communion in Pakistan
Catholic Church in Pakistan [Catholic-Hierarchy]
Centre for Legal Aid Assistant and Settlement [CLAAS]
Government of Pakistan: Ministry of Minorities
Human Rights Commission Pakistan
Maktaba-e-Anaveem Pakistan
National Commission for Justice and Peace Pakistan
Pakistan’s Catholic Bishop’s Conference
Pakistan Christian Post
US State Department: Religious Freedoms Report: Pakistan

In addition there are a host of organisations in Pakistan dealing with Christian issues which do not appear to have websites, including: the All Pakistan Minorities Alliance [APMA], Christian Lawyers Association [CLA], Christian Liberation Front [CLF], Christian Study Centre [CSS], National Council of Churches in Pakistan [NCCP], Pakistan Christian Action Forum [PCAF], Pakistan Christian National Party [PCNP], and the Pakistan Christian Peace Foundation [PCNF].