



Gallup Pakistan History Project's Weekend Read 43: Changing Public Opinion on the Fundamental Freedoms and Rights of Pakistan's Minorities: Some Trends from Gallup Pakistan History Project Polls Data by Abdullah Waqar Tajwar, Research Executive at Gallup Pakistan

Abstract: The conclusions presented in this article are predicated on the findings of a survey conducted by Gallup Pakistan since 2011 with the intent of empirically determining changes in public opinion on the question of whether Pakistan's various religious and ethnic minorities are granted equal rights and freedoms, especially religious freedom. This weekend read will also make use of a few other surveys conducted by Gallup Pakistan in order to determine whether the empirical results of the surveys mirror Pakistan's reality in terms of the rights that are given to the minorities residing within it. The primary survey asked Pakistanis the following question: 'Some people believe that the minority communities in Pakistan have freedom of speech, equal rights and freedom of religious expression. While others believe this is not true. What is your opinion?' In 2011, 78% respondents believed that minorities had equal rights and freedoms, while 15% disagreed and 7% did not respond. In 2012, the percentage of respondents who believed that Pakistan's minorities were treated equitably declined to 68%, compared to 16% who said this was not the case. In 2013, the percentage of respondents who said that minorities had equal rights and freedoms rose to 76%, compared to 17% who said this was not the case. In 2014, the proportion of Pakistanis who felt that minorities were granted equal rights and freedoms rose to an all-time high of 87%. In 2014, only 8% Pakistanis felt otherwise. Gallup Pakistan asked a representative sample of the Pakistani population a similar question in 2016. 'Please tell, do you think the minority communities in Pakistan are allowed to hold independent opinions, equal rights and the freedom to pursue religious rituals?' In response to this question 80% said that there is freedom while 19% said that there is no freedom. 1% did not respond.

Any conversation or debate on the status of minorities residing within Pakistan would, in my humble opinion, be considered incomplete if it did not, at some point, allude to a certain speech given by Pakistan's founding father, Mohammad Ali Jinnah (Quaid-e-Azam) to the Country's first constituent assembly. Thus, before going into deeper analysis on this subject, let us all revisit a portion of this historic address given by the Quaid-e-Azam on the eleventh of August, 1947, the year of Pakistan's birth

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as a nation of the world. “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 principal that we are all citizens and equal citizens of one State ... Now, I think we should keep that in front of us as our ideal and you will find that in course of time Hindus would cease to be Hindus and Muslims would cease to be Muslims, not so in the religious sense because that is the personal faith of each individual, but in the political sense as citizens of the state.”¹ This part reproduced above is just one portion of Mr Jinnah’s entire speech delivered to the constituent assembly but it is the one that is most relevant to the topic at hand and it also gives us an insight into the kind of Pakistan that was envisioned by its founding father. A Pakistan that did not differentiate between people based on their religion, caste or creed but treated everyone equally. More importantly, by categorically stating that a person’s religion was strictly a personal matter and no business of the state, it can be argued that Mohammad Ali Jinnah intended for Pakistan to be a secular state. However, there are those who say otherwise and argue that Pakistan was always meant to be an Islamic state. This particular speech has been at the centre of a continuing debate among Pakistanis regarding the nature of the State of Pakistan. It would be better to not go into that debate for whatever the Quaid-e-Azam envisioned for Pakistan, he was regretfully unable to bring it to life since He died almost a year later. Nevertheless, for now, we have at least determined what the father of this nation had to say on the subject of minority rights.

Another place that can be looked in order to determine the Pakistani state’s attitude towards its minorities is none other than the constitution of Pakistan itself. In all of Pakistan’s resolutions, be it the Objectives Resolution (1949) or the three subsequent constitutions of 1956, 1962 and 1973, religious minorities within the geographical boundaries of Pakistan have always been promised protection along with a guarantee of equal fundamental rights, at least on paper. According to Article 25 of Pakistan’s Constitution (1973) ‘all citizens are equal before law and are entitled to equal protection of law’. According to article 26 (1) there ‘shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence etc. in respect of their access to places of public entertainment or resort’. Similarly article 27 (1) gives ‘protection against discrimination on basis of religion etc. on appointment in service of Pakistan if he/she is qualified otherwise’. Article 36 of the constitution provides for the protection of minorities and states that the ‘State shall safeguard the legitimate rights and interest of minorities, including their due representation in the Federal and Provincial services’. Article 36 is part of Constitution’s second chapter ‘Principles of Policy’ which is a non-operative part of the constitution as the observance of these principles is dependent upon resources being available. Everything seems to be

¹ Dawn, Independence Day Supplement, August 14, 1999. Transcribed from printed copy by Shehzaad Nakhoda.

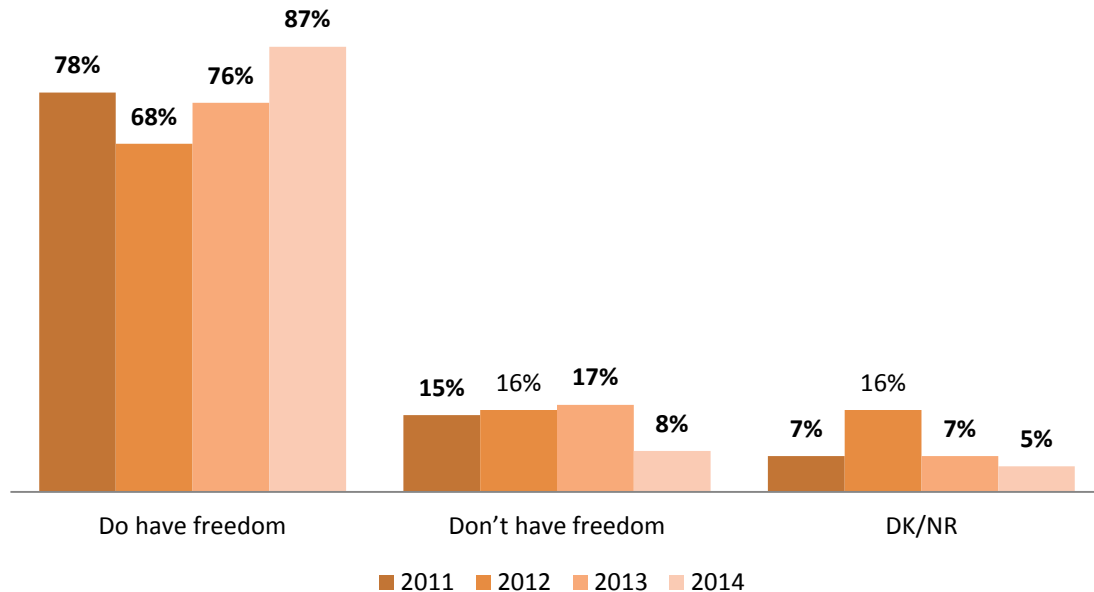
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in order based on the articles of the constitution mentioned above. However, the implementation of these said assurances is a different matter altogether. In due course, we will look on some of the glaring examples of failure on part of the Pakistani state to guarantee equal rights and opportunities to its minorities, both Muslim and non-Muslim. Before going into them, let us also take a look at some of the international treaties that bind Pakistan to protect and provide an equal status to its minorities. Pakistan became a member of United Nations Organization in 1948. All member states of the UN have a responsibility towards carrying out the mission of the United Nations. An integral portion of the UN membership revolves around 'The Universal Declaration of Human Rights' which is binding on all member states. The very first article of The Universal Declaration of Human Rights states that; "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood" (UDHR, 1948). Furthermore, The International Convention on Civil and Political Rights which was ratified by Pakistan in June 2010, provides in its article 27 that "In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language" (ICCPR, 1966). The ICCPR also guarantees the right to freedom of religion and states that 'a state may derogate from this right only if the observance of a religious practice or other form of religious expression constitutes a genuine threat to the public peace. It may do so only to the extent necessary to prevent such a disturbance'. Thus, legally, the Pakistani state is obligated to ensure that its minorities are guaranteed their religious and cultural freedom.

We now turn our attention towards the surveys undertaken by Gallup Pakistan to determine whether Pakistanis feel that the minorities residing within the Country's borders are granted such freedoms or not. In the first survey, a nationally representative sample of adult men and women in Pakistan, from across the four provinces was asked: 'Some people believe that the minority communities in Pakistan have freedom of speech, equal rights and freedom of religious expression. While others believe this is not true. What is your opinion?' In 2011, 78% respondents believed that minorities had equal rights and freedoms, while 15% disagreed and 7% did not respond. In 2012, the percentage of respondents who believed that Pakistan's minorities were treated equitably declined to 68%, compared to 16% who said this was not the case. Since 2012, the proportion of respondents who believed minorities have equal rights started increasing again. In 2013, the percentage of respondents who said that minorities had equal rights and freedoms rose to 76%, compared to 17% who said this was not the case. In 2014, the highest percentage of respondents said that minorities have equal rights and freedoms (87%). The results are presented in a table below.

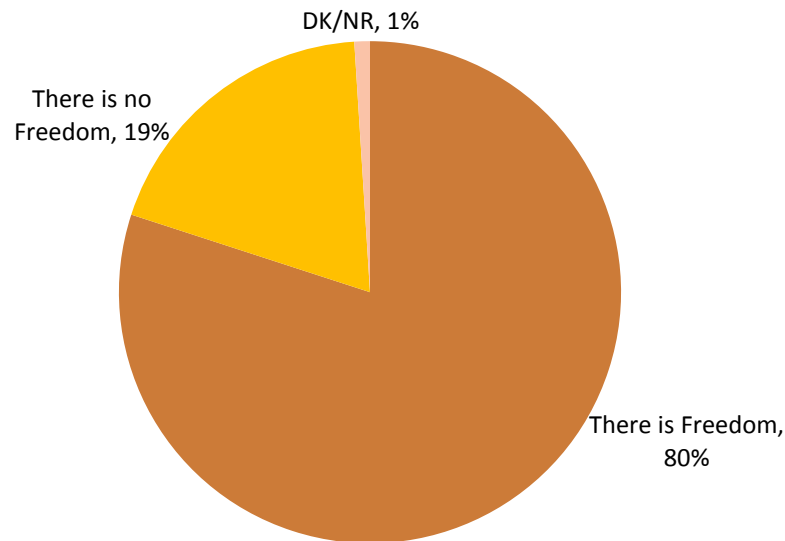
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Source: Gallup Pakistan National Survey (covering 4 provinces and Urban/Rural areas)

Despite there being a dip in the percentage of respondents who believed that minorities do have freedom from 2011 to 2012, the overall proportion of these respondents has nevertheless been in the majority through these four years. In other words, majority Pakistanis were of the opinion that religious and ethnic minorities in the Country were being guaranteed their inherent rights and freedoms and were not being ostracized from the mainstream in any way whatsoever. In a similar survey conducted by Gallup Pakistan in 2016, a representative sample of adult men and women was asked the following question: “Please tell, do you think the minority communities in Pakistan are allowed to hold independent opinions, equal rights and the freedom to pursue religious rituals?” In response to this question 80% said that there is freedom while 19% said that there is no freedom and 1% Pakistanis chose not to respond. Thus, the empirical results of this particular survey show that even today, an overwhelming majority of Pakistanis clearly believes that the minorities in the Country are indeed being given their due rights and privileges. A graphical illustration of these results is given below.

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What is troubling about these surveys is that, in a country like Pakistan, which, in recent memory, has been bitterly hit by a number of attacks aimed at its minority communities. The most recent memory that comes to mind is that of a suicide bomber going off in a crowded Gulshan-e-Iqbal Park in Lahore on the 27th of March, 2016, where a number of Christian families were celebrating Easter Sunday. Countless were injured while the death toll stood somewhere around 60-80 dead, according to reports by various news agencies. Another incident occurred in Jhelum when a mob set fire to a factory that was seemingly owned by members of the Ahmadi or Ahmadiyya Community. The attack had occurred because a factory worker had apparently committed an act of blasphemy against Islam. And how can one forget that deadly attack of 2015 on the Christians in Peshawar when a twin suicide bombing at the end of a service at All Saints Church took the lives of around eighty innocent people and left dozens more injured. A particularly gruesome episode also occurred around Lahore in 2014 when a Christian couple was beaten to death by a Muslim mob which then burnt their bodies in a brick kiln. And what was the motive behind ending their lives? They had allegedly, yes allegedly; desecrated the Holy Quran. But was it proved beyond reasonable doubt that they had desecrated the Quran? Were they given the chance to at least challenge these allegations in a court of law? Sadly no, they were not. They paid with their lives for a crime that they may not even have committed at all. And we haven't even started the surface yet.

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Anyone wishing to go over the whole timeline of such attacks can easily do so at the click of a button. Such is the astonishing number of these incidents since the turn of the century that it would make one's blood run cold.

Pakistan's minorities can broadly be classified into three main categories. We have the non-Muslim denominations on one side which mainly include the followers of the World's other major religions, primarily Christianity and Hinduism, in Pakistan's case as well as some Buddhists Sikhs and Parsis. We then have the Shias, who are technically also Muslim since the Shi'ite sect is officially considered to be under the fold of Islam. However, since the dominant majority of Muslims in Pakistan belong to the Sunni denomination, the Shias also come under the tag of a minority. Every year Pakistan unfortunately bears witness to a number of incidents of sectarian violence aimed against the Shias. Growing extremism in Pakistan since the early 2000's has seen these sectarian attacks against the Shias rise to abominable levels. Although there have casualties on both sides of the religious divide, it is predominantly the Shias, being the minority, who have borne the greater brunt of terrorism.

The roots of this sectarian divide between the Shias and Sunnis can be traced back to the early 80's when the former president of the state, Zia ul Haq promulgated an extensive Islamisation Programme for Pakistan, under which extensive legal amendments were made in Pakistan's legal system so as to make it in line with Islamic law or Sharia. However, this state sponsored Islamisation was bound to have major social repercussions for Pakistan because of the sole fact that Islam is not a monolith. Islam comprises of numerous orders, denominations and sects, with each one differing from the other in matters of religious doctrine, traditions and jurisprudence. More importantly for Pakistan, having a predominantly Sunni population, any such measures that institutionalized a Sunni understanding of Islamic life were bound to be treated by the other religious minorities of Pakistan as oppressive and tyrannical. That is precisely what Zia's Islamisation achieved. Zia-ul-Haq was a Sunni Muslim and an adherent of the Deobandi school of thought within Sunni Islam. Therefore, much of the legal amendments that were fashioned under his Islamisation scheme naturally had their roots in the jurisprudence of an orthodox Sunni Islam of the Deoband School. Furthermore, organizations like the Jamat e Islami which was a Sunni religious political party were given free rein during his time to advance their scope into the institutions of the state as well as in the social sphere of Pakistan. Therefore, Islamisation caused the Barelvi order of Sunnis as well as the Shia community to become alienated from the state and ended up heightening Pakistan's sectarian divide as the Shia community opposed the legal injunctions that were not in line with Shia jurisprudence, thus becoming increasingly politicized in the process. As a result of these events, religion came out in the open in Pakistan, thus causing a community already awash with religious zeal to become even more involved with religion and between considerations of right and wrong within the Shia and the Sunni schools of thought. This divide has, in

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recent years, been taken to an altogether new level by the rise of militancy and terrorism in Pakistan. Furthermore, the rise of the Tehreek-e-Taliban Pakistan has corresponded with an almost exponential rise in terror attacks against the Shia community of Pakistan, as the TTP has repeatedly made them a target in their war against the Pakistan Army. As recently as February 2015, the TTP claimed responsibility for a suicide attack on a Shia Imambargah (Shiite Mosque and religious center) in Peshawar at the time of the Friday prayer in retaliation to the Army's Operation Zarb-e-Az. The attack brought to an immediate end the lives of a dozen innocent citizens. This incident is just one of many.

However, it is in Quetta, the Capital of Pakistan's Baluchistan District that has reported the most incidents of violence, perpetrated almost entirely against the peaceful Shia Hazara Community that resides there and in the larger province. Militant groups, particularly the Lashkar-e-Jhangvi have been operating with virtual impunity in Baluchistan, killing Shia Hazaras by the thousands. What is more disturbing and frightening for Pakistan is the fact that there has been no concrete and concerted action taken by the state, the judiciary and the security officials against the perpetrators of these attacks. The unwillingness or inability of Pakistan's civil and military institutions to bring these terrorists to justice has further given wind to the notion that they are sympathetic to the cause of these militants, thus showing the extent to which sectarianism is rife in Pakistan. According to the annual report of Human Rights Watch on Pakistan, over 400 members of the Shia Muslim population were killed in targeted attacks that took place across Pakistan while out of that total, Baluchistan province reported the deaths of at least 200 Shias, mostly from the Hazara community, who were killed in and around the provincial capital, Quetta. This horrifying statistic implies that the death toll of the Hazara community was nearly half that of the total number of deaths of Shias in 2013. Attacks have continued to take place against the Shias, despite the army initiating operation Zarb-e-Azb with the intent of rooting out terrorism from Pakistan.

We then have the third category. The Ahmedis! It would not have been just to have placed them in the first category with other non-Muslim minorities since Ahmedis identify themselves as Muslims. Interestingly enough, they were also identified as Muslims in Pakistan until 1974 when a constitutional amendment rendered them outside the ambit of Islam. This declaration of a community as heretics by the state and government of Pakistan was a first step towards their alienation and persecution of members of their community from the mainstream society. Later on, Zia-ul-Haq's government further marginalized them by introducing the Blasphemy laws in Pakistan. These laws also resulted in the marginalisation and oppression of Pakistan's Christian and Hindu minorities. Today, the problem with blasphemy laws is not its content but its implementation. The problem with Blasphemy laws is that they are often misused by mainstream Muslims to settle personal feuds or political issues between traditional Muslims and Ahmadis. This has again and again led to various events all resulting in the death

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and destruction of the life, property and persons of the Ahmadiya community. The Criminal Procedure code has ostracized the Ahmadiya community to such an extent that any Muslim can go to a court or 'thana' and can register an F.I.R against any Ahmadiya by claiming that such and such Ahmadi was heard saying the Islamic greeting "Assalam o alaikum". The height of intolerance rampant within Pakistani society can be astutely personified by the murder of Punjab's former governor Salman Taseer at the hands of his own security guard Mumtaz Qadri after Salman Taseer had stated on television that Pakistan needed to revisit its blasphemy laws. The unfortunate bit about it all was that Mumtaz Qadri was regarded by many within the Country as a hero of Islam for having killed Salman Taseer. Qadri was later sentenced to capital punishment for the murder of the deceased Governor. However, nationwide protests were held when the news of Mumtaz Qadri's hanging reached people's ears. Apparently a shrine has also been constructed where Mumtaz Qadri is buried. A community so awash with religious fanaticism that it chooses to glorify a man who took the law in his own hands and ended up extinguishing a man's life is truly a tragic sight to behold for many. The persecution and alienation of the deprived Ahmadiya community as well as Christians and Hindus is unlikely to come to an end until the state diligently addresses the shortcomings of the blasphemy laws. At least an impartial mechanism needs to be devised for the fair implementation of blasphemy laws. However, for Ahmadis, as long as the tag of non-Muslims remains over their heads, their situation in Pakistan seems unlikely to improve.

This brings us back to the survey conducted by Gallup Pakistan. One can now only wonder how Pakistanis can still continue to feel that the rights and freedoms of minorities are being guaranteed within the borders of Pakistan. In fact, they seem to be anything but. The empirical results completely contradict the reality, in this particular case. The sad truth though, is that religious intolerance in Pakistan has spiralled out of control to the extent that if measures are not taken to address it imminently, then it has the potential to completely rip apart the social fabric of Pakistan. If, for the sake of argument, we were to believe that Pakistan's founder Mohammad Ali Jinnah did indeed envision a nation based on the notions of plurality, tolerance, a strict separation between the state and religion and inter-faith harmony, then we can also conclude, based on current events, that His vision has been truly lost. If Pakistanis wish to reclaim this Pakistan of Jinnah, then they need to actively work on repealing and rectifying laws that discriminate on the basis of religion in order to construct a more stable, tolerant and prosperous society for Pakistan.

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