

# THE CHRISTIANS OF PAKISTAN

A HISTORICAL OVERVIEW AND AN ASSESSMENT OF  
THEIR CURRENT POSITION

by

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## **1. The Historical Background**

### *1.1. The origins of the Christian presence in South Asia*

There has been a Christian presence in South Asia for the best part of two millennia, given that Saint Thomas is held to have been responsible for the establishment of the Syrian Orthodox Church in Kerala (on the most southerly section of the west coast of India) not long after the death of Christ. Whilst the Thomas in question was Thomas the Apostle or some other Thomas is a matter of scholarly debate, but it is generally acknowledged that an Indian branch of the Syrian Orthodox church had established a local foothold in Kerala by the end of the first century AD, where it continues to thrive to this day, having also spread from Kerala into Tamilnad over the centuries. For the most part the Syrian Christians of this region form part of the educated elite, and are generally regarded as having high status – which in South Asian context is read as high caste.

The next Christian incursion into the subcontinent occurred rather further north along the west coast of India, after the Portuguese established the headquarters of their overseas Empire in Goa. The Portuguese were of Roman Catholic rather than of Syrian persuasion, and were strongly committed to the conversion of all those they encountered to Christianity; moreover Portuguese merchants soon began to take wives and mistresses from amongst the local Konkani elite. As time passed and children were born, the offspring of those relationships – who soon emerged as local (Indo-)Portuguese elite – made further alliances with the local Goanese elite. Over the course of many generations not only was the initial sharp disjunction between Portuguese and the ‘native’ population of Goa replaced by a length continuum. Hence by the time that British India began to establish itself, the greater part of the population of Estado da India (which included the much smaller settlements of Daman and Diu further up the coast) had converted to Catholicism and had taken Portuguese names.

As British control began to extend over the greater part of the subcontinent, opportunities for long-distance trade, and hence for employment in the businesses implementing trading networks expanded rapidly, and the Christian Goanese were well-placed to take advantage of them. As a result a Goanese diaspora began to emerge, initially to other trading hubs around the coast – such as Surat, Bombay, Calcutta and Karachi – and subsequently onwards into a more global diaspora. As a result most Goanese Christians are moderately prosperous, but very few have hit the jackpot in a manner akin to the achievements of trading communities such as the Parsees, the Lohanas and the Memons. That said, to this day Karachi still hosts a small and moderately prosperous Goanese (and hence Catholic) presence.

### *1.2. The significance of caste in the growth of the Christian presence in Punjab.*

Prior to his death in 1840, and the subsequent overthrow of his Kingdom by the forces of the British Raj, Maharaja Ranjit Singh’s Punjabi jurisdiction was thoroughly plural in character. All though himself a Sikh, the majority of his subjects were Muslims, even though his fellow Sikhs outnumbered those who identified themselves as Hindu. Moreover his subjects were

further stratified as a result of their simultaneously affiliation to numerous caste; however as in most of the rest of South Asia local caste system included as sharp disjunction between those castes which were identified as ritually 'pure', and those who were regarded as ritually 'impure'. Roughly 20% of the population Punjab – mostly composed of members of castes whose hereditary occupation was as landless labourers, shoemakers, leather workers and sweepers – fell into category of persons who came to be described as 'untouchables'.

Given their inherent condition impurity, members of these groups were for the most part forbidden to enter mainline Mosques, Gurdwaras and Mandirs. In the face of such exclusion the so-called untouchables looked to their own devices when it came to matters of religion. Many simply built their own Mosques, Gurdwaras and Mandirs, but usually with a distinct sectarian – such members of the 'clean' castes found themselves able to deny that they were 'proper' followers of the religion in question, since such weak-minded 'untouchables' lacked the capacity to fully comprehend its underlying theological premises.

### *1.3. The missionary presence in Punjab*

From the beginning of the nineteenth century evangelically oriented Christian missionaries accompanied ever stage of British Imperial expansion in India, and since the Punjab was the last region in the subcontinent to fall under British control, they were particularly keen to establish a presence there. By 1830 a Mission Station had been established at Ludhiana in cis-Sutlej Punjab, which gave it ready, if surreptitious access Maharaja Ranjit Singh's domains immediately to the north; and by 1852 they were able to transfer their headquarters to Lahore, by far the biggest city in Punjab.

The 1870s and 80s witness strenuous efforts by the evangelisers to bring their message to the population of Punjab as a whole, but with a particular emphasis on the streets and Bazaars of the old city of Lahore, which had long been the Punjab's ideological and intellectual powerhouse. However the results of their efforts were disappointing. One of the most salient consequences of their efforts was to precipitate the formation of defensive reform movements – the most important of which were the Arya Samaj, the Singh Sabha and the movement headed by Ghulam Ahmed Mirza – whose principal objectives were to refute the Missionaries' criticisms of their beliefs and practices, to establish the theological and philosophical superiority of their own beliefs and practices, and sadly enough, to attack each other almost as vigorously as their Christian opponents – so launching the process of religious polarisation which haunts Punjab to this day.

In the face of all this it became clear to the missionaries that this kind proselytization from the top down in the streets of Lahore was unlikely to have much impact in Punjab. Alternative strategies were required. Two distinct strategies began to emerge.

The first of these was to establish a network of first-class schools and hospitals which would not proselytize overtly, but which would sow seeds of respect and intellectual interest in the minds of their pupils and patients; this program was also largely conceived of on a similar

top-down basis – albeit tempered by a policy of recruiting bright young students as a matter of course, no matter how straightened their parent’s circumstances might be. These initiatives undoubtedly had some effect over the years: many students became intrigued by the philosophical foundations of the Christian tradition, and although teachers were often deeply disappointed when their brightest students fell for the wiles of the enlightenment at points on a spectrum ranging from Marxism through Gandhi to Nationalism, they did at least gain some converts on this basis. But despite these disappointments, most of the institutions which were established a century or more ago still survive to this day, despite the many vicissitudes which they have encountered along the way.

The second strategy was more radical – at least in regard to the initial premises deployed by the evangelicals. It was one which responded to the fact that whilst students from the higher castes might show an initial interest in Christianity, only to turn to a reformed and ‘modernised’ version of their own tradition a little while later, those of ‘untouchable’ background were much less likely to abandon their interest in Christianity in this way. This presented the missionaries with a dilemma. If they were to allow their churches to fill up with poor, rural ‘untouchables’, the prospect of their being able to achieve a higher rate of conversion from amongst members of the higher castes, and especially from amongst the elite, would be even more severely compromised. On the other hand many more radically missionaries took the view that as Christians their principal duty was to the suffering poor, rather than to members of the prosperous and self-satisfied elite. It did not take long before those who took the latter outlook began to become steadily more influential – with the result of which it was not long before the Churches (of various denominations) in Lahore began to stretch out to include congregations of impoverished ‘untouchables’ who provided all manner specialist (but menial) services to members the dominant high caste members of almost every village in Punjab. For reasons that are not yet fully understood, this process of Christianisation proved to be particularly marked in villages to the west of Lahore (or in other words in the area which subsequently became Pakistan) whilst those broadly to the east of the city much more frequently became members of Hindu/Sikh revivalist movements such as the Ram Dasias, the Ravi Dasias and the Valmikis.

## **2. The birth of Pakistan**

### *2.1. Ethno-religious mobilisation and the development of politically-driven polarisation.*

Prior to its incorporation into British India during the course of the 19<sup>th</sup> century, the population of the area which subsequently became Pakistan was marked by a high level of religious plurality. Hindus, Sikhs and Muslims lived side by side in conditions of broad harmony. However in the years that followed the British of rules, this condition of easy-going plurality was steadily undermined, largely because rival Hindu, Sikh and Muslim nationalist movements began to use religion as a vehicle for political mobilisation – initially viz-a-viz the British, and subsequently against each other. As the prospect of self-rule, and ultimately of Independence, grew steadily closer, so each of these parties became fearful of being subjected to hegemonic dominance by the others. Hence when independence arrived, Pandit

Nehru and Mohammed Ali Jinnah had still not been able to broker a mutually acceptable compromise on the basis of which the sub-continent could be viably maintained as a single jurisdiction, the newly minted state of Pakistan – broadly envisaged as a safe home for Muslims in which they would not be subjected to Hindu hegemony – broke away from the rump of India. In Punjab, and to a slightly lesser extent in Bengal, the pent up tensions built up by rival forms of nationalism exploded. The predictable (but unenvisaged) outcome was a bloody process of ethnic cleansing, in the midst of which millions of the Punjabi Hindus and Sikhs fled eastwards to India, and a similar number of Muslims fled in the reverse direction across the newly constructed border.

## *2.2. Post-partition developments*

Unfortunately that was not the end of the matter. On the Indian side of the border politically driven ethno-national contradictions between the Punjabi Sikhs and the Punjabi Muslims, and eventually came to a head after Jarnail Singh Bhindranwale and his followers were killed by the Indian Army after they had holed themselves up in the Golden Temple in Amritsar, in the aftermath of which Prime Minister Indira Gandhi was assassinated in revenge by two of her Sikh bodyguards. Meanwhile Pakistan fared no better: not only did the new nation's two wings, one of which clustered around the River Indus and its tributaries in its passage to the Indian Ocean, whilst other lay a thousand miles away in the eastern portion of the delta which carried the waters of the Ganges and the Brahmaputra into the bay of Bengal lie a thousand miles apart from each other, but their linguistic and cultural traditions differed sharply from one another. A quarter of a century after this artificial creature came into existence, the two wings fell apart, in the midst of a bloody civil war.

Nevertheless it was not long before similar contradiction also began to emerge in the west wing, the portion which retained the name of Pakistan: rather it, too, has become riddled with ethnic tensions in recent years, partly on a regional basis, but also – and particularly egregiously – in sectarian terms. However before moving on to consider the dynamics of these subsequent developments, we must pause to consider what happened to the Punjab's Christians in the midst of the initial process of partition.

## *2.3. The experience of Punjab's Christian minority in the midst of Partition*

Given their exclusion from the 'respectable' component of the social order, members of the Punjab's 'unclean' castes, the majority of whom had by then converted to Christianity, remained largely unaffected by the seismic developments which accompanied partition: instead the quite literally passed over their heads. Given there was no prospect that they would be treated any better in India than they were in Pakistan, where Islam did at least in principle offer the prospect of the promotion of equality amongst humankind, they all stayed put: the devil they knew was infinitely preferable to the Hindu and Sikh alternative.

However their social position changed little in the Land of the Pure (as Pakistan is best translated). At the outset this was not so much a consequence of their conversion to Christianity, but rather as a result of their of their presumed ancestry, since the vast majority of converts were known to members of the region's leather-worker and sweeper castes (most of whom actually worked as agricultural labourers) whom members of the upper castes – be

they Hindu, Muslim or Sikh – had regarded as being ‘impure’ and hence untouchable. However this stereotype was rarely used with respect to the (overwhelmingly Catholic) Goanese, the vast majority of whom were concentrated in Karachi. Instead another stereotype was wheeled out in their case: that no matter how respectable their origins may have been, they had associated themselves too closely with Europeans, such that they had no sense of shame – manifested in the allegedly ‘loose’ behaviour of their women folk. Similar allegations were also routinely directed at Punjabi contexts, primarily, but not wholly on grounds of caste. As result Punjabi Christians are still known insultingly as *musalli*, with the inference that they are still tainted as by their heritage as immoral, low caste, and permanently polluted eaters of beef.

Whilst the precise scale of the Christian presence in Pakistan is unknown, it is widely acknowledged that they are overwhelmingly concentrated in the Punjab; my own best estimate is that they make up somewhere between ten and fifteen ten and per cent of the Punjab, with much lower figures elsewhere.

#### *2.4. The position of Christians in the Pakistani employment market*

Although Christians consequently occupy a peripheral position in the Pakistani social order to this day, they nevertheless enjoy a number of advantages – although these are invariably over-estimated by members of the hostile Muslim majority. Way back in British colonial period becoming a Christian had a number of advantages, not least because it gave members of this impoverished minority access (at least in principal) to basic educational support from European missionaries, and a priority for employment (in junior positions) in maintaining churches and schools, and above all as nurses in mission hospitals – jobs which members of the upper ‘clean’ castes regarded as being wholly beneath their dignity. Over the decades that have passed since Independence these opportunities have widened significantly. One the one hand all the Churches of Pakistan have by now been indigenized – although for the most part they also receive significant financial contributions from the their mother churches overseas; and on the other religious commitments are such that they are often preferentially employed in foreign Embassies, Aid Agencies and foreign NGOs, whose staff tend to regard fellow-Christians as being intrinsically more reliable and trustworthy than most. However not too much should be made of this. Whilst only a small minority of Christians gain access to these jobs, but the very fact that they are known to be able gain access to them in the midst of Pakistan’s desperately competitive labour market routinely generates complaints amongst the Muslim minority that their alleged exclusion from such jobs is ‘unfair’. However what such critics overlook is that the vast majority of jobs in Pakistan are not allocated on merit, but rather by means of *sifarish* (introductions, recommendations, connections) implemented within the *biraderi*. Given that most Muslim *biraderis* are far larger, more prosperous, and better connected than their Christian counterparts, young people of Muslim/upper caste descent are in broad terms far better in the labour market than those of ‘*musalli*’ descent.

#### *2.5. An anthropological assessment of the position the Christians of Punjab four decades ago*

In a volume entitled *Migrants and Refugees* (Cambridge University Press 1976) Patricia Jeffery described the position of the Christians in Punjab thus:

There is very little information about Christians in Pakistan today. On the one hand, Government sources deny that Christians suffer any disabilities because of their religion, but all the Pakistani Christians I knew claim that there is substantial discrimination against them (for instance in finding work), and they say that they are generally insecure in Pakistan. It is hard to assess the evidence, but it may be useful to consider some material from the 1961 Census of Pakistan. Even there, material about Christians is very scanty. Some tables are only for Muslims (97.17 per cent of the population of West Pakistan in 1961), while other tables combine the 'other religions'. In any case, even where separate figures appear for Christians, it is difficult to establish under-or over-representation of Christians in certain categories, as the numbers are often small.

In 1961, 583,884 Christians were enumerated, of whom 40,368 men and 21,458 women were literate. Almost 10.6 per cent of Christians are literate, while the literacy rate for the whole of West Pakistan was 13.6 per cent. 79 Christian women form a larger proportion of literate Christians than literate Muslim women do of literate Muslims (nearly 35 per cent as opposed to about 20 per cent). Several points are worth noting about how Christians are distributed in the non-agricultural labour force, as the pattern is not always the same as for Muslims. Christian nurses and midwives make up some 12 per cent of nurses and midwives in West Pakistan. Almost 3 per cent of the teachers are Christian, and there are more women Christian teachers than men. Christians made up nearly 2.4 per cent of 'physicians, surgeons, dentists and medical specialists', but something under 0.56 per cent of lawyers, judges and magistrates. The most striking figures, however, are in the category 'caretakers, cleaners and related occupations'; Christians make up 59 per cent of this category, and Christian women make up a third of the Christians in the category. Christians appear to hold very little land, as Muslims hold 99.2 per cent of the land in West Pakistan.

Several points can be raised about these figures. The first relates to the relatively low literacy rate, the over-abundance in the category 'caretakers, cleaners and related occupations' and the small amount of land held by Christians. It should be remembered that most Pakistani Christians are the descendants of mass-movement converts, many of whom were poor and illiterate and came from the most depressed sectors of society. The above figures may not reflect discrimination against Christians in Pakistan, but may relate more closely to the difficulties of poor converts in educating their children, and providing a route for occupational mobility for them. Nursing is spurned by Muslims, so the over-representation of Christian women in the category 'nurses and midwives' cannot be taken as an example of positive discrimination in favour of Christians.

The small number of Christian lawyers, however, is likely to be more significant, as the legal profession has high prestige and there is no reason to suppose that Muslims opt out of competition for jobs in that sector. These comments are based on my own conjectures, however, and in one sense they are not very important. What is far more significant here is the assessment made by Pakistani Christians of their position in Pakistan.

The figures cited above only suggest that Christians are relatively disadvantaged in Pakistan, but they do not help in determining why this is the case. Indeed, there are

opposing interpretations of the situation. Tayyeb (1996) says that Christians are more educated than Muslims and are generally city-dwellers with relatively good jobs. Indeed, it may be, despite the lower literacy rates, that those Christians who are literate tend to be more educated than literate Muslims, and therefore better qualified for 'good jobs', but there is nothing in the figures which either supports or denies such a supposition. In any case, Tayyeb appears to ignore the very high proportion of people in very low-prestige jobs (such as sweeping) who are Christian. On the other hand Neill (1970) writes that there are reports that Christians find difficulty entering Government service, that key positions are held by Muslims, and that few Christians can obtain employment in business. The general economic position of Christians in Pakistan is bad, he says. They are 'displaced persons in their own country.'

Neill's view comes far closer to the views of my Christian informants than does Tayyeb's: they say that a Christian in Pakistan has no chance of finding a good job, even if he has been educated at a mission school and college. Unfortunately, it is very hard to assess the validity of either viewpoint. There may, indeed, be discrimination against Christians in Pakistan, but there are other possible explanations. For instance, nepotism may be crucial: given the originally disadvantaged position of Pakistani Christians, they may have had no contacts to help them into better jobs. Or it may be that some Christians are rejected for jobs because better-qualified Muslims apply. Or, again, since Christians and high-ranking officials are few in number in Pakistan, any absence of overlap may not be statistically significant. These possibilities, including discrimination, may all occur, but the critical point is how Christians interpret the situation.

In brief, while Government and Muslim sources tend to deny that Christians in Pakistan suffer discrimination, Pakistani Christians tend to be adamant: their position in Pakistan is maintained by rife religious discrimination. Besides the issue of job-chances for Christians in Pakistan, there is the wider question of general security. Here again, there is little evidence except the comments of my informants that they feel unsafe in Pakistan.

After the 1965 war with India, there were some reports of 'reprisals' against Christians in Pakistan: Christians were considered to have hampered the Pakistani cause through their unpatriotic stance, and some were accused of espionage. An incident which arose during my fieldwork in Pakistan illustrates the fears of my Christian informants. In early 1971, a Pakistani living in Manchester wrote to *The Pakistan Times* complaining about a book called *The Turkish Art of Love in Pictures*, which he said had been recently published in Britain and contained insulting assertions about the Holy Prophet. There were student demonstrations in protest, several churches were desecrated, and gestures against western influence were made (wine-shops were looted, 'dancing-girls' attacked, some students stopped wearing western-style clothes, and the Lahore offices of the British Council were razed). Letters to the press deplored the publication of the book and noted it as an example of foreign hostility to Pakistan and Islam, while a letter from a Christian woman implored that Christians in Pakistan should be seen as 'true Pakistanis' and that there should be no stigma attached to being Christian.

These examples are rather extreme, maybe, but in everyday affairs too, the strong Islamic slant enhances the feeling of being outsiders. The working week is organized

around Friday (the Muslim holy day) and national holidays are the Muslim festivals. Missionary work and the teaching of Christian doctrine in mission schools are restricted. Links with Arab countries are fostered, and *Islamiyyat* and Persian are important academic subjects. Most of the political parties in Pakistan have an Islamic slant, and some are led by *ulema*; and the press constantly emphasizes the Islamic character of Pakistan. (Jeffery 1976: 40 -43)

With the best part of four decades of hindsight, what is most striking about Jeffery's account is that it makes no explicit reference to neo-fundamentalist hostility to the presence of Christians in Pakistan, nor to the prospect of local Christians forming a fifth column representing the interests of a threatening set of self-proclaimed latter day Crusaders: that was to come later. Nevertheless the developments which she describes in her penultimate paragraph, which she carefully qualifies as 'rather extreme', have in fact turned out to precursors of an impending storm. To appreciate the origins of that storm, and most especially the way in which it has become such a salient force in contemporary Pakistan, we must backtrack a little to consider how and why it was that Pakistan has backed away from its initial commitment (or at least Mohammed Ali Jinnah's commitment) to ethno-religious pluralism.

### **3. Neo-fundamentalism and the collapse of religious pluralism**

#### *3.1. Mohammed Ali Jinnah's position*

Since Pakistan came into being on 14<sup>th</sup> August 1947, there has been continuous dispute about the precise point at which Pakistan should occupy along the spectrum between a secular democracy and an overtly confessional Islamic state. In his first speech to the new nation on the very day of Independence, its new Governor General, Mohammed Ali Jinnah, nailed his colours very firmly to the mast of secularism when he argued that

"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 the state. We should keep that in front of us as our ideal and you will find that in the course of time Hindus will cease to be Hindus and Muslims will cease to be Muslims, not in the religious sense because that is the personal faith of each individual, but in the political sense, as citizens of the State."

However Jinnah's views did not have a universal appeal. Moreover he did not have long to live: within a year of the creation of Pakistan his long-standing condition of Tuberculosis overwhelmed him. Following his death, arguments suggesting that Pakistan must and should be a specifically *Islamic* republic began to break surface. Although for the most part articulated by small minorities who have never gained any significant degree electoral success, arguments of this have repeatedly served to undermine the authority of almost all of Pakistan's Governments, whether civil or military, above all because it has offered right-wing Islamist of an increasingly neo-fundamentalist character with endless opportunities to whip up populist sentiments under the slogan of 'Islam in danger'. Such arguments have proved to be particularly intense whenever the governing regime has lacked popular legitimacy, a

regular occurrence over the past six decades. Throughout this period the ‘danger’ in question has regularly been conceived of as emanating from two complementary sources: external and internal. Externally the principal external enemy was initially identified as India, but since the United States ‘turned its back’ on Pakistan throwing in its lot with India after Bangladesh seceded from Pakistan in 1971, hostility to the United States has risen steadily, and has risen exponentially ever since President Bush announced his Afghan ‘crusade’ in the aftermath of the destruction of New York’s twin towers on 9/11; however alongside these geo-political fears, Pakistan has long been haunted that its capacity to resist these external pressures has been undermined by the presence of enemies within, such that it could only begin to punch at the level it required (and deserved) if it eradicated all aspects of its internal ethno-religious diversity, so enabling it to develop a stronger sense of Islamic unity.

The result, as we shall see, is that the Sunni/Salafi neo-fundamentalists who have pressed these arguments have focused on an ever wider range of religious and sectarian groups who have in their view undermined the integrity of Islamic Pakistan from within: whilst their initial target was the Ahmadis, they subsequently focussed on the Christians – and more recently on the Shi’as, the Barelvis, the Sufis, and last but not least members of Pakistan’s godless elite – indeed virtually the entire population of Pakistan other than themselves. In these circumstances the prospect of a neo-fundamentalist take-over of the Pakistani state appears to be remote. But so long as the Federal Government in Islamabad remains weak, and as Pakistan feels itself to be surrounded by enemies, and significant sections of the Army continue broadly to support the neo-fundamentalist cause, and the Pakistani economy remains in deep trouble, the neo-fundamentalist fish seem likely to be able to continue to find plenty of water in which to swim.

So long as this is the case, Mohammed Ali Jinnah’s fine words are likely to remain a distant memory.

### *3.2. The political role of ‘Islamist’ groups in Pakistan*

Up until the events of 9/11 and the subsequent invasion of Afghanistan under the aegis of ISAF, one of the perennial problems facing Pakistan’s neo-fundamentalist activists was that candidates nominated by parties of the religious right invariably attracted derisory support in both national and regional elections (on the relatively rare occasions when they were held). Hence one of the few ways to make their voices better heard was to make extra-parliamentary attacks on the government under one variant or another of the slogan ‘Islam in danger’. With this in mind the Ahmadis made an excellent initial target. Not only could they readily be accused of being *kaffirs*, but since so many of them held senior positions in Government (if only because they were disproportionately represented amongst the better educated), but their very presence could be used to argue that because the Government harboured so many infidels in its ranks, thereby endangering the integrity of the Islamic state of Pakistan, it deserved to be toppled, elections or no elections.

The first serious effort to achieve this end occurred early in 1953, when a group of ‘ulema submitted an ultimatum to the Prime Minister of Pakistan, demanding that the Ahmadiyyas should be formally classified as non-Muslims, and that in consequence the Foreign Minister

Chaudhry Zafar Ullah Khan should be dismissed from office on the grounds that he was an Ahmadiyya. After a period of prevarication the Prime Minister eventually made it clear that he was not prepared to dismiss Chaudhry Zafar Ullah, the was a major anti-Ahmadiyya insurgency in Punjab, which eventually became so serious as to lead the authorities to declare martial law to bring the province back under control. In his magisterial *Report of the Commission of Enquiry into the Punjab Disturbances of 1953* – which remains to this day one of the most instructive sources on the political and ideological foundations of the whole issue – Mr. Justice Munir concluded, amongst other things, that the principal blame for the disturbances had to be placed at the feet of two Islamic revivalist movements, the *Majlis-e-Arar* and the *Jamaat-i-Islami*. He concluded that both of these movements had deliberately used the slogan of *khatme-nabuwwat* to stir up anti-Ahmadiyya feelings amongst the population at large, and to suggest that the Ahmadiyyas were not only *kaffirs*, but traitors to Pakistan, thereby precipitating widespread violence.

However despite Mr. Justice Munir’s scabrous conclusions – for he also went on to castigate the authorities for the failure to take firmer action in good time to contain these developments – his efforts to defend the legitimacy of plurality did not survive the test of time – or rather of politics. As Mr. Justice Munir made quite clear, the object of the proponents of *khatme-nabuwwat* was not just to demonstrate that the Ahmadiyyas were *kaffirs*, but also that Pakistan was (or at least should be) an Islamic republic in which such blaspheming heretics would have no place. But although the authorities eventually decided that they would have no truck with such arguments in 1953, when Prime Minister Zulfikar Ali Bhutto found his popularity fading a few years later, he made a last desperate throw to restore his credibility by turning to the religious right for support. In an effort to so he introduced the notorious Ordinance XX in 1984, which declared that the Ahmadis did indeed stand outside the fold of Islam. This was the origin of the notorious amendments to Sections 295 and 298 of the Pakistan Penal Code, passed under the subsequent military regime headed by General Zia-ul-Haq.

### 3.3. *The consequences of being formally identified as outsiders to Islam*

Although Ordinance XX was explicitly directed at the Ahmadis, the wording of the amendments to Sections 295 and 298 to the penal code – clauses which were introduced in during the course of the British Raj in an effort to prevent the abuse of religious minorities by their more powerful and well-connected neighbours – not only immensely broadened their scope, but stood their original objectives of these two sections on their heads. So far from protecting the rights of minorities, they rendered anything said and done which might upset or offend the sensibilities of the Muslim majority a criminal offence:

#### Offences relating to religion: Pakistan Penal Code

- 295-B** Defiling, etc, of copy of Holy Quran. Whoever will fully defiles, damages or desecrates a copy of the Holy Quran or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable for imprisonment for life.
- 295-C** Use of derogatory remarks, etc; in respect of the Holy Prophet. Whoever by words, either spoken or written or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly,

defiles the sacred name of the Holy Prophet Mohammed (PBUH) shall be punished with death, or imprisonment for life, and shall also be liable to fine.

**298-A** Use of derogatory remarks, etc..., in respect of holy personages. Whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo or insinuation, directly or indirectly defiles a sacred name of any wife (Ummul Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (PBUH), or any of the righteous caliphs (Khulafa-e-Rashideen) or companions (Sahaaba) of the Holy Prophet description for a term which may extend to three years, or with fine, or with both.

**298-B** Misuse of epithet, descriptions and titles, etc. Reserved for certain holy personages or places.

1. Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or by any other name) who by words, either spoken or written or by visible representation:
  - i. refers to or addresses, any person, other than a Caliph or companion of the Holy Prophet Mohammad (PBUH), as "Ameerul Momneen", "Khalifat-ul-Momneen", "Khalifat-ul-Muslimeen", "Sahaabi" or "Razi Allah Anho";
  - ii. refers to or addresses, any person, other than a wife of the Holy Prophet Mohammed (PBUH), as Ummul-Mumineen;
  - iii. refers to, or addresses, any person, other than a member of the family (Ahle-Bait) of the Holy Prophet Mohammed (PBUH), as Ahle-Bait; or
  - iv. refers to, or addresses, any person, other than a member of the family (Ahle-Bait) of the Holy Prophet Mohammed (PBUH), as Ahle-Bait; or
  - v. refers to, or names, or calls, his place of worship as Masjid; shall be punished with imprisonment or either description for a term which may extend to three years, and shall also be liable to fine.
2. Any person of the Qadiani group or Lahore group, (who call themselves Ahmadis or by any other names), who by words, either spoken or written, or by visible representations, refers to the mode or form of call to prayers followed by his faith as "Azan" or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

**298-C** Persons of Qadiani group, etc, calling himself a Muslim or preaching or propagating his faith. Any person of the Qadiani group or the Lahori group (who call themselves Ahmadis or any other name), who directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representation or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

Whilst manifestly aimed at the Ahmadis – and more specifically at anyone who appeared to query the status of Mohammed as the last and most perfect members of a line of Prophets stretching back through Jesus and the Hebrew Prophets to Allah’s equally perfect manifestation in the form Adam himself – the new provisions also contained a potential snare for Pakistan’s Christian minority, who not only held that Jesus was the son of God (a blasphemous interpretation of his status from a prescriptive Islamic perspective) but also that Jesus, rather than Mohammed, was the ‘seal of the Prophets’. Hence Christian beliefs and activities focused on the Divinity of Christ, together with their consequent rejection of the status of the Prophet Mohammed as the precursor to the final Messiah, laid them wide open to neo-fundamentalist agents *provocateurs* demanding answers to deliberately provocative questions, such that any kind of straightforward answers they might give laid them wide open to being accused of criminal act: namely of outraging the religious feelings of Muslims.

### *3.4. The state, the courts and non-state actors*

Before jumping to any conclusion about the immediate consequences of all this, it is worth emphasising that what this set off was a curious dance of death between the state, the courts and non-state actors in the form of neo-fundamentalist activists. By and large members of Pakistani elite (including the upper reaches of the Judiciary) have no particular ill-feelings towards the Ahmadis, the Christians, or indeed the members of Pakistan's many other ethno-religious minorities. Hence the extension to the Penal Code, together with the reluctance of any subsequent regime to repeal them, was largely a result of their position of political weakness, since the last thing any of them wanted to do was to provide the neo-fundamentalists to stir up a populist movement suggesting that they were 'soft on the enemies of Islam' (as we shall see, state of affairs had dreadful consequences earlier this year).

By and large Pakistan's judiciary have also taken the same position. To be sure some members of the lower judiciary were sympathetic with the neo-fundamentalist positions, so instead of endlessly adjourning cases brought under the new provisions, or failing that of finding technical faults in the prosecution case, they actually found the defendants' guilty. However most of those so convicted who had the funds to do so regularly appealed to a superior court, and more often than not their appeal all was successful.

However that was not the end of the matter either. Being pursued through the courts in Pakistan is a gruelling business, especially if one does not have sufficient funds or connections to secure bail. Moreover when those harassed through the courts in this way are finally released, the risk to their health, their safety and their lives increased rather than decreased, for the neo-fundamentalists were by now in a position to legitimate their strategies extra-judicial execution, on the ground that since the state and the judiciary had been unable to fulfil their Islamic duties, there was no alternative but to step in and fulfil their duties on their own account. To sum up, the principal practical effect of the amendments to Sections 295 and 298 of the Penal code was to render Pakistan's religious minorities substantially more vulnerable to extra-judicial killing. It also followed that those who implemented such killings were rarely tracked down and prosecuted, and if found guilty were invariably successful if they launched appeals. It is easy to see why: neither the police, nor the judges, nor the politicians saw any point whatsoever in stirring the hornet's nest,

## **4. Contemporary developments**

### *4.1. The experience of Christians in contemporary Pakistan*

Whilst members of the Ahmadiyya movement were the principle initial targets of fundamentalist activities, in recent years Islamist hostility to Pakistan's rather more numerous, but much less well-connected Christian minority has become just as intense. Not only are Christians regarded as having lax morals, but also as being natural supporters of the United States – so much so that they are frequently subjected to vicious hounding on the grounds that they are traitors to the national cause.

Moreover such persecution has been rendered all the easier that to the way in which the contents of Ordinance XX of 1984, which was initially introduced as a means of declaring the

beliefs and practices Ahmadiyya sect to be un-Islamic, have been interpreted by the courts, as well as reinforced in subsequent legislation. As a consequence of these developments, any member of religious minority who has behaved in such a way that he or she can be deemed to have challenged orthodox Sunni interpretations of the *shari'ah* – by, for example, asserting or defending their belief in Jesus' divinity, or by making use of Islamic symbols for any purpose whatsoever – can find themselves facing accusations that they have deliberately sought to insult and demean Islam, and hence to have committed the offence of blasphemy under section 295(c) of the Pakistan penal code.

As a result members of Pakistan's Christian minority have recently found themselves the targets of ever more violent attacks. At first these were simply directed at individuals, but the attacks have recently become ever more outrageous, such that the attackers have begun to fire directly into whole congregations. However charges are rarely, if ever, brought against the instigators of the outrages: the Police regularly allege that they have been unable to identify the attackers.<sup>1</sup> Moreover even the judicial system has been cowed: in a celebrated case where a judge of the Lahore High Court overturned a magistrate's finding of blasphemy, the judge was assassinated. Against this background it is also worth noting that it is not so much the Pakistani authorities who have actively been persecuting members of 'blaspheming' minorities: although fearsome penalties can be imposed on those found guilty under article 295 (c) of the penal code, they are rarely if ever implemented. Rather the article provides those who wish to pick a fight with members of the minorities with an additional weapon with which to harass alleged blasphemers.

Such fight-pickers are invariably local neo-fundamentalist activists: either local Mullahs or Maulvis seeking to make a name for themselves, or members of neo-fundamentalist organisations such as the *Sipah-e-Sahaba*, *Jaish-e-Mohammed*, the *Lashkar-i-Toiba* and more recently the *Tariq-e-Taliban-e-Pakistan*.<sup>2</sup> Their targets are most usually either leading members of local Christian communities, or individuals against whom someone has a grudge. Their most usually *modus operandi* is to set up a public confrontation with their victim, usually accompanied by threats of violence; and if violence does occur, the attackers invariably insist that they were only acting in self-defence. The prospect of police intervention is remote.

The most immediate objective of this kind of harassment is either to drive the offender out of the community, or failing that to take a substantial payment by way of 'protection'. As ever, the rapacity of such demands tends to escalate quite sharply over time. But if the harassers tire of such strategies the obvious next step is to resort to the courts: if they can successfully lodge and FIR under section 295 (c), helpful local police officers can usually be persuaded to arrest their target and give him a good roughing up in the police station; and if a local magistrate can be persuaded to allow the proceedings to go forward, as is by no means unusual, their target can find himself tied up in expensive and log-drawn out legal proceedings; and last but not least the threat of violence ever-present.

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<sup>1</sup> See the ICG reports *Reforming Pakistan's Police*, (2008) and *Reforming the Judiciary* (2008)

<sup>2</sup> Some of these organisations have been formally banned. If so they have merely reconstituted themselves under a different label.

#### 4.2. *The origins of the rise of neo-fundamentalism*

Paradoxically enough, the roots of the contemporary upsurge of neo-fundamentalist activism in Pakistan can be traced back to an earlier invasion of Afghanistan by the Soviet Union, in which the United States, powerfully aided and abetted by the Soviet Union, actively supported the Afghan *mujahaddin* (the precursors of both the Taliban and indeed Al Qaida) to wage anti-communist *jihād* against the Russian infidels. As result a huge volume of funds and armaments was channelled into Afghanistan by the Americans and the Saudis, largely facilitated through the ISI (Inter-Services Intelligence, a semi-autonomous branch of the Pakistani Army), with a significant portion being siphoned off to support guerrilla operations in Indian-held Kashmir. These developments, in terms of the funds that became available and a parallel demand for guerrilla fighters (and subsequently for suicide bombers) precipitated a huge resurgence of support for neo-fundamentalist activities across the length and breadth of Pakistan. Given that these initiatives were initially developed to facilitate *jihadi* activities beyond the borders of Pakistan – in other words in Afghanistan and Kashmir – the majority of those who went off to do so were drawn from *madrassah* (seminaries) run by the hard-line Deobandi movement, which were largely funded by donations from Saudi Arabia, and their interests protected by senior officers in the ISI.

But whilst the ISI – which has never been subject to significant control by the civilian authorities – took it for granted that they would be able to constrain the shock-troops emerging from the seminaries, together with the *‘ulema* who trained them, in such a way that their *jihadi* activities would be implemented across the border, either in Afghanistan and or in India, they soon discovered that once this genie had escaped the bottle, there was no way of preventing them from implementing their *jihadi* strategies within the borders of their homeland as well as beyond them. The result was the emergence of a series of militantly extremist groups such as the *Sipah-i-Sahaba*, *Lashkar-i-Toiba*, and *Jaish-Mohammedi* who were just keen to pursue the infidels and backsliders found amongst the residents of Pakistan by violent means as they were to do so with regard to those resident beyond its borders.

Following the collapse of General Zia-ul-Haq’s regime, Pakistan reverted to a period of weak civilian governments, led on a box-and-cox basis by Benazir Bhutto and Nawaz Sharif, neither of whom were able to contain the increasingly violent activities of these *jihadi* movements, which is one of the reasons why General Musharraf’s military coup in 1999 was greeted with a sigh of relief by large sections of Pakistan’s population. But although General Musharraf fairly soon proscribed the most violent of these movements, he has found it impossible to eliminate them, not least because his ‘success’ in the heavily rigged general election of 2002 from which the secular parties were virtually was largely dependent on the scale of support which the MMA, a coalition of neo-fundamentalist parties, was able to attract as a result of his efforts to exclude representatives of both the two previous ruling parties.

#### 4.3. *9/11 and its consequences*

When the United States decided to embark on a policy of regime-change in Afghanistan, General Musharraf found himself trapped between a rock and a hard place. Whilst the great majority of Pakistanis were hostile to the American program of regime change, and sections

of the Pakistani military – most especially the powerful Inter-Services Intelligence agency – were active supporters of the Taliban regime, the United States held a whip hand over the Pakistani economy. In the face of this dilemma Musharraf decided that he had no alternative but to concede to American demands that Pakistan should not stand in the way of their Afghan project, especially since the pill was sweetened by a major program of debt-cancellation. Having accepted America's demands, Musharraf did his best to face down popular opposition to his policy within Pakistan. But whilst discipline held within the army, Musharraf found himself acutely exposed when it came to the ballot box. When general elections were held to legitimize his regime little more than a year later, the blow-back was plain to see: the MMA, representing the religious right and vigorously hostile to all things American, received an unprecedented level of electoral support, so much so that it controlled the balance of power within the National Assembly.

However the fall of the Musharraf regime two years ago has in no way reversed these tendencies. Although the nominally secular PPP has formed a government in the aftermath of the recent elections, popular hostility to the American presence in Afghanistan, and the spill-over of its military activities into the Federally Administered Tribal Areas has reinforced hostility to 'the crusaders', as well as their alleged allies – members of Pakistan's Christian minorities. These developments have been tracked in some detail in a series of reports published by the much respected International Crisis Group, including *Pakistan: the Mullahs and the Military* (2003), *Unfulfilled Promises: Pakistan's Failure to Tackle Extremism* (2004), *The State of Sectarianism in Pakistan* (2005), *Pakistan's Tribal Areas: Appeasing the Militants*, (2006), and *Karachi's Madrasas and Violent Extremism*, (2007).

#### *4.4. The dilemma currently faced by the Pakistani authorities*

There can be little doubt that 'internal terrorism' of this kind caused great concern to General (and now President) Musharraf and many of his immediate advisors, both because it disturbs the social order, and because they are personally opposed to most aspects of the fundamentalist ideologies which inspire those who carry out such atrocities – some of which have been directed at the President himself. However in the aftermath of the events of 9/11, Musharraf has found himself unable to make much more than symbolic gestures of disgust towards their activities and supporting ideologies. Whilst the President's decision to back the American invasion of Afghanistan in 2002 may have been strategically sensible, it was one to which the vast majority of the population were bitterly hostile. Hence when elections were held later that year – as was essential if Musharraf was to establish the legitimacy of his regime – the MMA, a rag-tag coalition of Islamist parties – received sufficient votes to hold a balance of power in the new Parliament. It followed that if President Musharraf was to keep his fledgling democracy afloat, he could do nothing which would upset the MMA. Otherwise the whole fragile edifice which he has so carefully constructed would in all probability collapse like a pack of cards. Hence whilst General Musharraf regularly makes speeches expressing his commitment to open liberal democracy and his intense hostility to most aspects of the neo-fundamentalists' agenda, especially when addressing international audiences, he is largely unable to implement those policies in practice.

This state of affairs is firmly underlined in the widely respected International Crisis Group's report on the *State of Sectarianism in Pakistan*, published in April 2005.<sup>3</sup> The Executive Summary of the report opens by noting:

Sectarian conflict in Pakistan is the direct consequence of state policies of Islamisation and marginalisation of secular democratic forces. Co-option and patronage of religious parties by successive military governments have brought Pakistan to a point where religious extremism threatens to erode the foundations of the state and society. As President Pervez Musharraf is praised by the international community for his role in the war against terrorism, the frequency and viciousness of sectarian terrorism continues to increase in his country. Instead of empowering liberal, democratic voices, the government has co-opted the religious right and continues to rely on it to counter civilian opposition.

In the body of the text the Report went on to note

Sectarian terrorists in Pakistan are thriving in an atmosphere of religious intolerance for which its military government is largely to blame. General Musharraf has repeatedly pledged that he would eradicate religious extremism and sectarianism and transform Pakistan into a moderate Muslim state. In the interests of retaining power, he has done the opposite.

Instead of empowering liberal, democratic voices, the government has co-opted the religious right and continues to rely on it to counter civilian opposition. By depriving democratic forces of an even playing field and continuing to ignore the need for state policies that would encourage and indeed reflect the country's religious diversity, the government has allowed religious extremist organisations and jihadi groups, and the madrasas that provide them an endless stream of recruits, to flourish. It has failed to protect a vulnerable judiciary and equip its law-enforcing agencies with the tools they need to eliminate sectarian terrorism. (page 29)

## **5. The Legal Foundations of the so-called Blasphemy Laws**

Besides setting out a devastating critique of the administration of justice in contemporary Pakistan, the International Crisis Group's report entitled *Reforming the Judiciary in Pakistan*, published in October 2008 also includes an illuminating legally-grounded commentary on the way in which additional clauses were inserted into sections 295 and 298 of the Pakistan Penal Code to produce what are currently popularly identified as the blasphemy laws, together with a commentary on the impact which they have had on a variety of minority communities, including the Ahmadis. The analysis set forward is so detailed and illuminating that it is worth quoting in full:

### **III. ISLAMISING THE LEGAL SYSTEM: INSTITUTIONALISED DISCRIMINATION**

#### **A. THE BLASPHEMY LAW**

The Pakistan Penal Code is based on colonial India's Penal Code of 1862, which has however been amended several times since 1947. Pakistan's blasphemy law might, for instance, appear to be based on the British colonial law that prohibits the denigration of

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<sup>3</sup> The International Crisis Group operates autonomously, but receives its finance from numerous Governments. In the case of the UK, contributors include the Foreign and Commonwealth Office, and

religion, but the Pakistani version is significantly different. Section 295A in the PPC that addresses religion is certainly inherited from the Indian Penal Code. Prohibiting "deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs", it is not in itself discriminatory and is generally consistent with international standards on the defamation of religion. The Zia-ul-Haq regime's amendments, however, placed special emphasis on the protection of Muslims; called for harsher punishments for offences against Islam; and required trials under Section 295 to be presided over by a Muslim judge. Said a Karachi-based human rights lawyer and Supreme Court advocate: "It is these provisions that make the PPC a discriminatory system".

They include:

Section 295B (1982): Calls for life imprisonment for anyone who "wilfully defiles, damages or desecrates a copy of the holy Qur'an ... or uses it in any derogatory manner". It allows for such a person to be arrested without a warrant.

Section 295C (1986): Imposes the death penalty, or a life sentence, on anyone who, "by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Muhammad".

The blasphemy law's vague language makes no reference to a potential offender's state of mind or intention, exacerbating its impact and inviting widespread abuse and "the harassment and persecution of minorities in Pakistan." It effectively delegates authority to private citizens and public officials to enforce social biases. Radical Sunni outfits in particular have exploited the law to target religious and sectarian minorities, using trials for religious offences as occasions to rally their base. In May 1994, for example, a group of clerics used a blasphemy hearing against two Christians in the Lahore High Court as a stage for public calls for Pakistan's "Talibanisation".

Since 1991, blasphemy cases carry a mandatory death penalty. Although such a sentence has never been carried out, the blasphemy law remains, in the words of an analyst, "a lethal weapon in the hands of religious extremists?" and "the handiest instrument for mullahs to persecute rivals, particularly members of the Christian community [as well as] liberals". It also encourages violence.

In July 2002, an inmate belonging to the radical Sunni Sipah-i-Sahaba (SSP) murdered a scholar convicted of blasphemy by a Lahore district court." In August 2003, a Christian was arrested under Section 295 for littering near a mosque in Lahore. A police officer killed the man while he was in custody out of a sense of "religious duty".

Blasphemy cases are not treated as typical criminal trials. LA. Rehman, director of the independent Human Rights Commission of Pakistan (HRCP), emphasised:

"In blasphemy cases involving minorities, lower courts invariably convict the accused. They cannot take the risk of acquitting the person". Lahore's police chief admits that religious groups pressure the police into lodging charges under the blasphemy law." Such groups also attack and intimidate defence lawyers, making it difficult for the accused to get legal representation. "I cannot dare to file a petition in court that this is a discriminatory provision of law", said a Supreme Court advocate and human rights

lawyer. "Even as a teacher of law, I was hesitant to talk about the blasphemy law, because of past incidents when students who belong to religious parties have filed blasphemy cases against such professors." Intimidation also extends to the higher judiciary; most notably, in October 1997, a Lahore High Court judge who had acquitted a teenaged boy of blasphemy was shot dead in his chambers.

Often defendants in blasphemy cases request a transfer of their case to another jurisdiction, which the law permits if a case is not heard on time or if the circumstances do not allow for a fair hearing." The superior courts have also limited the impact of the blasphemy law, overturning subordinate court verdicts or dismissing cases for lack of evidence." However, so long as the law remains on the books, Pakistani citizens, and minorities in particular, will be vulnerable to its abuse.

In 2000, shortly after seizing power, Musharraf promised to amend the blasphemy law to allow only senior district officials to register blasphemy cases but soon withdrew the proposed change under pressure from the religious lobby. In 2005, parliament passed a law requiring that a senior police official investigate a blasphemy accusation before a complaint was filed in the courts. Seldom implemented, the law has not led to a significant reduction in blasphemy charges." Well-off complainants who are seeking to use the blasphemy law in financial or property disputes can easily skirt the requirement: "All it takes is a well-placed bribe to get around this safeguard"."

In May 2007 Musharraf's PML-Q government rejected a private member bill by a ruling party parliamentarian, calling for changes that would make the blasphemy law less discriminatory. The parliamentary affairs minister was quoted as saying: "Islam is our religion and such bills hurt our feelings. This is not a secular state but [the] Islamic Republic of Pakistan",

In a major recent judgment, the Lahore High Court overturned a blasphemy conviction by allowing the defendant to recite the first Kalima as evidence of his innocence, thereby shifting the burden of evidence to the prosecution, as required by law." A legal analyst argued: "This decision as an operating precedent makes it difficult for a conviction to be obtained in the lower courts without a strict evidentiary standard."

## B. TARGETING AHMADIS

Pakistan's anti-Ahmadi laws merit special attention because of their link with the sectarian conflict and violence that remains the primary source of terrorism in the country. Right-wing religious groups began demanding the Ahmadi sect be declared a non-Muslim minority shortly after independence in 1947. In 1953, anti-Ahmadi riots led to the imposition of martial law in Lahore, Punjab's provincial capital, the fall of the provincial government and eventually the fall of the central government. A court of inquiry examining the disturbances issued a report stating that there was no consensus amongst the ulema" on the definition of "Muslim", and therefore any Muslim individual or sect was entitled to its own interpretation of the religion."

Anti-Ahmadi laws have deepened sectarian fault lines, with the Sunni extremist Sipah-i-Sahaba, for instance, demanding that the Shia sect be also declared non-Muslim. This discriminatory legislation has also encouraged vigilantism and violence.

## 6. Sectarian conflicts and the steadily rising political impact of neo-fundamentalism

### 6.1. Escalation in the scale of neo-fundamentalist violence

The ICG report cited above is one of a long succession of reports published by the organisation during the course of the past decade which effectively serve to track post 9/11 political developments in Pakistan. In doing so they have consequently highlighted the way in which neo-fundamentalist groups have become steadily more politically influential over time, partly as a result of covert assistance from the ISI (The Pakistan army's equivalent to the CIA), partly as a result of the close links with the Taliban in Afghanistan and *jihadi* initiatives in Kashmir, together with the tendency of the authorities' marked preference for trying to appease their demands in the aftermath of the increasingly audacious in-country terrorist 'spectaculars', rather than actively confronting them.

In a report entitled *Pakistan's Tribal Areas: Appeasing the Militants*, published in December 2006, the ICG went on to describe how supporters of the Afghan Taliban (many of whom were of Pakistani origin) who had retreated (along with Osama bin Laden) fled across the border into neighbouring Districts along the Pakistani border had effectively managed to set up an alternative 'Islamic' administration of their own in many parts of the Federally Administered Tribal Areas, so much so that the authors of the report included a chapter entitled 'The Talibanisation of Pakistan.' They were prescient in so doing: soon after the report was published disparate *jihadi* groups who have wrested control from properly constituted authorities in the greater part of FATA, and who also have an extensive following in much of the rest of Pakistan came together under a single umbrella organisation, the *Tehrik-e-Taliban-e-Pakistan*.

The roots and consequences of these developments – and most especially the ways in which they have begun to spread beyond FATA to precipitate rising waves of neo-fundamentalist violence across the length and breadth of Pakistan are discussed in chilling detail in a recently published book by Rashid Ahmed, entitled *Descent into Chaos: How the War against extremism is currently being lost in Pakistan, Afghanistan and Central Asia* (Allen Lane: the Penguin Press, 2008). As Rashid Ahmed notes in his conclusion

In 2007 there were 56 suicide bombings in Pakistan, which killed 419 security officials and 217 civilians, compared to just 6 such attacks the previous year. Despite this tenfold increase in suicide bombings, the regime had failed to track down a single culprit.'

In 2008 there has been no let-up in these developments. The bombers are becoming increasingly audacious, and although we are still little more than half way through the year, the number of those who have so far lost their lives on this basis is already comfortably in excess of those who met their end in this way in 2008. Indeed such is the scale of violence that only the more outrageous incidents are now reported in the press.

The opening paragraph of the ICG's report on, *Reforming Pakistan's Police* published in July 2008, takes up the same theme:

After decades of misuse and neglect, Pakistan's police force is incapable of combating crime, upholding the law or protecting citizens and the state against militant violence. With an elected government taking over power after more than eight years of military rule, the importance of reforming this dysfunctional force has assumed new importance. Elected representatives will be held accountable if citizens continue to see the police, the public face of government, as brutal and corrupt.

The police remain a political pawn, with transfers and promotions used to reward those willing to follow orders, no matter how illegal, and to punish the few professional officers who dared to challenge their military masters. The new civilian government has inherited a police force with a well-deserved reputation for corruption, high-handedness and abuse of human rights, which served the military well for over eight years, suppressing Musharraf's civilian opposition and more than willing to accept any task – from extrajudicial killings and torture to rigging elections. With public confidence in the police at an all-time low, reform will be difficult and require time, patience and resources, yet it is a task the new governments at the centre and in the provinces will ignore at their peril, as militant violence reaches new heights.

It is hardly surprising that this under-staffed, ill-equipped, deeply politicized, and pervasively corrupt force has failed to counter the growing extremist menace that is undermining the stability of the Pakistani state, claiming hundreds of lives in terror attacks.

A further ICG report entitled *Pakistan: the Jihadi Challenge*, dated 13<sup>th</sup> March 2009 further underlined the unwillingness, and indeed the inability, of Pakistan's properly constituted authorities to intervene on behalf of members of religious minorities when they found themselves targeted by rabble-rousing mobs whipped up by the religious right. Strikingly enough, the report makes scant reference to attacks on members of either the Christian or the Ahmadi minorities in its analysis of the Pakistani *jihadis* internal targets: instead it focuses on a much more alarming phenomenon: Sunni neo-fundamentalists' efforts to identify members of Pakistan's much more substantial Shi'a population as blasphemers and infidels, whose consequences the report discusses at some length. With the wider issues in mind (for it goes without say that the Christian and Ahmadi issues have not diminished in the midst of all this, but have merely been turned into mere political molehills in comparison with the rapid appearance of a neighbouring mountain) the conclusions which the report reaches can only be described as chilling:

The increased influence of radical Sunni groups, which remain the primary source of terrorism in Pakistan, and their links to international networks like al-Qaeda make them even more dangerous than before. Dismantling them must be the core of the government's counterterrorism policy. However, the military's patronage of regional jihadi groups like the Jamaat-ud-Dawa, also tacitly supported by some elements of the civil bureaucracy, is the primary impediment to sustained government action.

Decades of military rule have also weakened Pakistan's moderate and secular forces and emboldened the religious right. Even if the democratic transition continues uninterrupted, counter-terrorism will only be effective if it is not just robust but also accountable, based on identifying, arresting and ultimately convicting religious extremists in fair trials. Musharraf's eight-year rule caused a general breakdown of governance, leaving state institutions like the police and the courts in disarray.

Political interference from the military establishment has not only limited the police's technical capabilities, but has more directly prevented consistent action against radical jihadi groups. The elected government must now vest significantly greater resources and authority in the IB, CIDs and FIA to enable these agencies to fulfil their mandate.

To date there is no sign whatsoever that such initiatives have been put in place, or that there is any likelihood of their being implemented in the immediate future.

## **7. The fall of the Musharraf regime and its consequences**

### *7.1. Politics*

The past two year has seen tumultuous developments in Pakistan. Although democratic rule has nominally been restored in Pakistan as a consequence of the overwhelming popular demands that General Musharraf should resign from his position as President, his replacement Asif Zardari – who gained office on a wave of public sympathy in the aftermath of the assassination of his wife Benazir Bhutto – is proving to be a weak and fickle occupant of the post. There are several reasons for this

- Despite the fact that the PPP and its allies still have a threadbare majority in the National Assembly, the Zardari government no longer enjoys any kind of popular mandate, especially in the Punjab, Pakistan's largest and richest province,
- As a result of years of neglect, let alone the impact of the global credit crunch, Pakistan's economy is currently on its beam ends
- Driven by poverty and disillusionment, as well as by almost universal hostility to the US presence in Afghanistan, and especially regular sallies by US airplanes into Pakistani airspace in hot pursuit of terrorists, and further reinforced by revisions in the school curriculum, there is a powerful bedrock of support for neo-fundamentalist interpretations of Islam amongst the population at large.
- As a result the Zardari government, and indeed the military (which remains to this day the major power behind the throne) continues to prevaricate as to how far it should crack down on, and how far it should seek a compromise with, the agenda of the religious right.
- Hence despite the decision of the military to implement massive counter-insurgency operations in those where the writ of the authorities had ceased to run, it is by no means clear whether the underlying problems are being resolved. Once again the military has begun to make repeated announcements that the terrorist threat has been virtually eliminated; however most observers – including most of the two million inhabitants of the Swat valley who fled southwards for safety's sake – are not greatly impressed by those claims.
- As a result key aspects of the neo-fundamentalist agenda still attract widespread support on the grounds that they are protecting the integrity of Pakistan's established order from the threat of heresies within (e.g. in the form of non-Sunni interpretations of Islam, such as the Shi'as and followers of the Ahmadiyya movement, and worse

still, that of a Christian ‘fifth column’), as well as from even more the serious threats stemming from what are perceived as being Pakistan’s implacable enemies from without (India and the United States).

At practical level the consequences of these developments were immediately apparent during the course of my recent short visit to Pakistan. Even though the area in which I based myself was well clear of the areas in which the authorities have lost administrative control, the lack of security felt by those with assets to protect was palpable. Armed private security guards were much in evidence, and there was much talk of the robberies and kidnaps, which the authorities appeared to be largely unable to contain.

By chance I also ran into a clear example of just such a development when I made a brief visit to Pakistan in June 2009.

### *7.2. My own experience of the looming power of neo-fundamentalism*

Although I asked my local informants about the position in which the Ahmadiyyas currently find themselves in Pakistan during the course of my recent brief visit, I did not receive anything in the way of a significant response. However they bubbling over to tell me another very recent incident, involving the experiences of a follower of Ghulam Ahmed Pervaiz, yet another religious reformer in a similar mould to Ghulam Ahmed Mirza, the founder of the Ahmadiyya movement. Born in 1904 in Gurdaspur, just across the border in what is now India, Pervaiz was inspired by the teachings of the Sufi Chistiyya sect, and in the course of an extended commentary on the Qur’an and the Hadith he was deeply critical of the theological stance taken by the neo-fundamentalist movements which began to emerge around the time of Independence, and most especially of those developed by the Arars and the Jamaat-i-Islam. Ghulam Ahmed Pervez’ followers – who can now be found in smallish numbers across the length and breadth of Pakistan – currently identify themselves as devotees of Tolu-e-Islam, but are popularly identified as Pervaizis.

The incident in question took place just over a fortnight ago in Jhelum, a major town approximately seventy miles to the South East of Islamabad. Approximately six months a local follower of Ghulam Ahmed Pervez had published an article supporting the Master’s teaching, and in doing so had articulated an interpretation of the Islamic tradition which leading local mullahs regarded as blasphemous, and on that basis successfully lodged and FIR against him under Section 298c PPC. The ‘blasphemer’ was taken into custody, partly for his own protection, and after several adjournments the case had come before the District Judge. However the complainants were well aware that the District Judge had little sympathy with their cause. Hence in their Friday sermons immediately before the case was to be heard, they urged their followers to attend the court to make their position crystal clear.

But whilst a large crowd assembled outside the court on the day on which the trial was due to take place, the Judge once again adjourned the case, on the grounds that the prosecution had failed to produce sufficient evidence to substantiate their case. He also decided to remand the accused in custody, not least for his own protection. When news of his decision reached the crowd outside, they promptly attacked the District Court, and trashed the interior of many of

the courts, before moving on to make an assault – which seems to have been repulsed – on the local prison.

However none of this was reported in either the local or the National Newspapers whilst I was in Pakistan, although I have come across a brief reference to the event in the on-line version of the Friday Times, which contained the following report, quoting an Urdu language newspaper:

### **Rage against blasphemers**

Reported in Jinnah hundreds of protesters gathered at Sessions Court in Jhelum when the publishers of blasphemy were brought to the court but were given another date without hearing. The protesters entered the court and broke all furniture. They grabbed guns from the guards and beat up everyone in sight. The district jail doors were thrown down and much firing in the air was also resorted to by the protesters. They vowed to return to the courts to wreak more havoc before going away. Jhelum lawyers announced strike against the religious parties that had organised the protest.

How this issue – where the charges against the accused appear to be virtually identical with those directed at Ahmadis whom the neo-fundamentalists decide to target – will ultimately be resolved remains to be seen. The only move I am aware of so far is that the District Judge – with whom I had an opportunity to shake hands but not to converse – has been relocated to a similar post in relatively remote District Attock.

## **8. The assassination of Salman Taseer and Shabaz Bhatti**

Over the years Pakistan has become a steadily more violent society, partly as a result of the weakening legitimacy (and hence the authority) of successive government regimes, and partly as a result of the ever-rising force of increasingly well-armed and audacious neo-fundamentalist activism. Moreover as a result of their growing confidence the neo-fundamentalists have progressively raised their sights: whilst the initially confined their targets to marginal groups such as the Ahmadis and the Christians, in the 1990s and the early years of the new millennium they moved on to attack Shi'as and Sufis. More recently still neo-fundamentalists have begun to engage in 'spectaculars', such as the attack on the Christian Colony at Sangla Hill on 1<sup>st</sup> August 2009, when a mob set forty houses ablaze with the result that at least seven of their occupants were burnt alive, followed by the even more audacious attack on two Ahmadi mosques in Lahore 28th May 2010 whilst the congregation were saying their Friday prayers, as a result of which 85 people were killed and 150 injured. Since then the militants has stepped up their campaign still further, as when the Governor of Punjab, Salman Taseer, was shot down in broad daylight on 4<sup>th</sup> January 2011 by one of his military bodyguards to great popular acclaim – since the assassin made it quite clear that his motivation for doing so was in retribution for his ungodly support for the repeal of the blasphemy law. Nor was that the end of it all. Two weeks later Shabaz Bhatti, a Christian member of the Federal Cabinet, in which he occupied the position of Minister of Minorities, suffered a similar fate in Islamabad as he was being driven to work.

Editorial in *The Friday Times* commented of Salman Taseer's assassination as follows:

The wanton assassination of Salmaan Taseer, Governor of Punjab, could be a tragic watershed in the history of Pakistan as it crumbles in the face of a severe onslaught by extremist religious ideology and passions. The tragedy is that some elements of the state are co-sponsors while others are hopeless accessories after the fact.

Mr Taseer opined that the blasphemy law should be amended to ensure that mischief mongers could not exploit it for mundane ends. He wasn't alone in advocating this line of action. Indeed, quite apart from the moderate silent majority, even the most rigid mainstream defenders of the blasphemy law admit that procedural changes can improve its efficacy and fairness. But the media and mullahs distorted the picture and painted him as an apostate. The mullahs put head money on him, the media frenetically drummed up their demands, and the state condoned it all.

Mr Taseer was moved by the plight of Aasia Bibi, a poor Christian woman, who had been awarded the death sentence by a court for blaspheming against Prophet Muhammad (PBUH). The facts suggested there had been a miscarriage of justice, a fairly frequent occurrence in such passionately charged cases. So he moved the President of Pakistan to commute her death sentence. But, under pressure from religious extremists, the Lahore High Court put a spoke in the wheels of the government by signalling its displeasure. As the media whipped up the chorus of extremist voices arrayed against the Governor, the President balked and the Prime Minister retreated shamelessly: "This is the Governor's personal point of view, I am a Syed, my government has no intention to dilute the blasphemy law", declared Mr Yusuf Raza Gilani self-righteously. Isolated and condemned, Mr Taseer became a sitting duck for the extremists.

The killer, Mumtaz Hussain Qadri, an Elite Force commando, brazenly manoeuvred with police officials to join Mr Taseer's security detail on the ill-fated day. This, despite a forceful note on file by the Regional Police Officer in 2008 that Qadri should be removed from VIP security duty because of his extremist religious views. He took his commando colleagues into confidence and they stood by passively as he pumped 26 bullets into his target. There has not been a more outrageous lapse on the part of the police than this in Pakistan's history.

The political parties showed their pathetic colours after the assassination. Not a single politician from the ruling party or opposition had the guts to unequivocally condemn the passion behind the killing. Indeed, the PPP turned the state tragedy into a political conspiracy against the party and democracy. The opposition that routinely thunders against real and imagined excesses barely managed to mutter a word or two about the "unfortunate" incident. It was left to a group of Islamabad lawyers – part of the famed "lawyers' movement" – to shower rose petals on the assassin when he was brought to court to be remanded to the police. Civil society – that wonderfully elusive term denoting the conscience of society – could muster only a couple of hundred protestors the day after in contrast to the thousands of internet users who declared Qadri a hero on Facebook!

<http://www.thefridaytimes.com/cgi-bin/tftstoryeditorial.pl>

In an article in The Guardian published in the aftermath of Shabaz Bhatti's assassination, Peter Preston wrote as follows:

Take the young people of so many Islamic nations struggling to secure their democratic freedoms. Take large, very powerful armies used to running or controlling the show. Take big pinches of poverty, frustration and religious fanaticism. Spice with visceral violence. Stir briskly – and what have you got? Welcome back to Pakistan. We may be hoping for good things in Cairo and praying for good things in Libya. But good things, ominously enough, don't happen in Jinnah's "Pure State" any longer. Now here's one especially dismal thing among many others, because it tests principle as well as feeble political resolve. Shahbaz Bhatti, Islamabad's minister for minorities, is assassinated outside his home by four assailants who leave Taliban tracts behind them. Bhatti was a Christian, speaking out for an increasingly oppressed minority and ceaselessly advocating the repeal of Pakistan's blasphemy laws.

But a couple of weeks ago, while the world was watching Cairo and Tripoli, his own prime minister, quietly abandoned any attempt to repeal Pakistan's blasphemy laws – and the death penalty for breaking them. The battling woman backbencher who'd pushed for abolition retreated. The ministries working on amendments threw them away. Blasphemy, as defined in the statute book by Pakistan's last military dictator but one, remains a capital offence.

So the Christian peasant farm-worker and mother of four, Aasia Bibi, whose case crystallises the whole sorry debacle, remains in prison and in fear for her life. So the governor of Punjab province, Salmaan Taseer, murdered by his own bodyguard for speaking out, remains unavenged. Remember how 90 lawyers put their hands up and volunteered to defend Taseer's killer for free. Remember how the elected government of the Pakistan's People Party, the party Taseer belonged to, did nothing but mumble. Remember how it promised reform then shuffled away. Don't forget, then, that Shahbaz Bhatti's murder comes as a direct consequence of the pusillanimity of an elected government.

It is the supposed bulwark of freedom, of democracy, of the supreme rule of law that we all like to hymn at suitably euphoric moments. But, at a time of true test, President Zardari and his ministers slide away. Why does this debacle, in its way, seem so much worse than Islamabad's lurching efforts to subdue the Taliban and give the west the help it craves in the battle against terrorism? Because the issues are clear enough. Because there's no need to get tangled in Afghan blame games, nor rows about CIA agents and American imperialism. Because this crisis is all about Pakistan.

Zardari's PPP is the supposed torch-carrier of enlightenment and reform here: a force for change amid a gaggle of parties in thrall to religious zealotry, and a foe of the army's tendency to play Islamic cards itself when its hegemony is threatened. There's no possible doubt which side it ought to be on. There isn't even much doubt

which side it took as the case of Aasia Bibi developed. But now frailty leads its leaders by the nose.

Why? Of course you can blame them for personal fear: Bhatti's death underlines the grim message of Taseer. Speak out and you may not live long. Taliban extremism claims more victims every day. But the real problem is that, across Pakistan, ordinary people taught by ordinary mullahs to reach extraordinary conclusions, have come to side with the blasphemy laws as well. They don't want repeal. They want matters to rest as they are. Crude democracy, in a way, wants Aasia Bibi punished – and so for Pakistan's 4% of Christians to live in constant fear. There are thousands of relatively liberal, more educated voices in play; but there are many more millions who see nothing wrong as lawyers queue to plead their sad case. A sentence out of place means death: killing those who find this law grotesque seems to mean instant heroism.

Who will draw a line and turn the tide? No president, present or future, you can see. Not a feeble, flailing Zardari. Not his old adversary, Nawaz Sharif and his Muslim League. Not some general waiting in the wings. The difficulty is that there is no one, and no concerted body of opinion, who can join, let alone hope to win, this debate for what may come to symbolise the destiny of Pakistan. For tolerance, for restraint, for the ability to live side by side in a truly free world? If Cairo adds a spoonful of hope, Lahore, Karachi and Islamabad bring only the recipes of despair.

In a further update to these developments, in a valedictory article in *The Guardian* dated 15<sup>th</sup> December 2011 following seven years of reporting from Pakistan, Declan Walsh noted that:

A few months ago I visited a house in Rawalpindi with a giant poster over the windows, depicting a heroic warrior on a gallant white steed. The warrior was Mumtaz Qadri, the police bodyguard who gunned down the Punjab governor Salmaan Taseer, last January, and this was his house.

Outside, young children shouted slogans for Qadri, a curly-bearded extremist who killed Taseer because he championed the case of a poor Christian woman who had been prosecuted under the country's notorious blasphemy laws. Others joined them, protesting against Qadri's prosecution for murder. The air was thick with talk of persecution. "Qadri is a great martyr," said one man. "What he did is permitted by Islam." Then the crowd poured through the streets and on to the highway leading to Islamabad. The police closed the road and watched.

The celebration of Qadri, a deluded fanatic, was deeply depressing. So was the fact that nobody dared raise their voice against his supporters, not even the government. Instead, the judge who sentenced Qadri has fled Pakistan. Aasia Bibi, the Christian at the heart of the furore, remains in jail. And Taseer's son, Shahbaz, has been kidnapped – probably by Qadri sympathisers. An ugly spectacle, it betrays questions about something deeply unhealthy at the core of Pakistani society.

## 9. Counterpoint: the prestige of Christian Educational and Medical Institutions

Despite all this, Pakistan is a land full of paradoxes. As noted at the outset of this paper, evangelical missionary efforts began to get off the ground in Punjab a century and a half ago; as they did so it did not take before long they began to appreciate that whilst straightforward evangelism was unlikely to have any significant impact on the members elite whom they were eager to convert, commitment to charitable activities – especially in the form of the construction of first class educational and medical institutions – might be a far more effective way of achieving their aims, albeit in the longer term.

Although these initiatives brought very few converts, they nevertheless brought a great deal of respect, given the urgent need for the provision of such services, especially in the early days of the Raj. Whilst state-provided service in due course began to match those provided by the missionaries, in the aftermath of independence the Pakistani authorities were either unable or unwilling to provide state services with adequate funding; worse still, they could not contain themselves from interfering in the administration of Colleges and Universities which were subject to their control – especially since all of their most intellectually vigorous critics were to be found their academic staff. It did not take long before their educational standards began to decline dramatically.

However private Colleges and Hospitals were largely – although by no means wholly – immune from such pressures, so much so that they have become beacons of excellence wherever they have survived. Hence Kinnaird College for women, and Forman Christian College (both in Lahore) and Saint Joseph College (in Karachi) are amongst Pakistan's leading educational institutions, whilst missionary-supported Hospitals are still to be found in most of Pakistan's major cities. Moreover the reason for their survival is not hard to detect: members of the elite cannot afford not to have access to first class medical services as and when they need it, and if their sons and daughters are to gain access to the quality of education which will enable them to gain access to prestigious Universities overseas, recourse to the services offered by these Christian institutions is essential. As a result these institutions continue to prosper in Pakistan, since they receive active protection from the elite, whose members make up the bulk of their clientele.<sup>4</sup>

However it would be wrong to conclude that the prestigious position of these elite institutions offers any kind of silver lining to the bleak picture which I have presented in this report. Although the Christians of Pakistan gain access to all sorts of benefits as a result of their association with these institutions, they do not take them very far – at least in the context of their homeland. There is no visible presence of Christians amongst Pakistan's elite: for them, encounters with glass ceilings are inescapable. Hence developments in Pakistan are becoming increasingly congruent with developments throughout the contemporary Islamic world: just the ancient Christian presence in Iraq, Syria, Lebanon, and Egypt has recently begun to

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<sup>4</sup> For the avoidance of doubt it is worth noting that the overwhelming majority of the staff of these institutions is no of Pakistani, rather than foreign origin, and so far as I can see in most of them the great majority of their Professional staff are non-Christians.

undergo a precipitous decline in the face of neo-fundamentalist pressure, more and more Christian Pakistanis – and most especially those with professional qualifications – have begun to seek refuge overseas.

### **10. Conclusion: The current plight of the Pakistan's marginalised 'kaffir' minorities**

Taken overall, the consequences of these developments are quite clear. In contemporary Pakistan the tsunami of neo-fundamentalism has grown so strong, and the properly constituted authorities have become so weak, that the former can readily overwhelm the latter over issues of 'blasphemy' – which boils down in the end to a popular view, whipped up by the neo-fundamentalists, that those who cannot accept the theological premises of their neo-orthodox vision of Islam are ipso facto *kaffirs*, unbelievers, who have no legitimate place in Pakistan.

Nor has the furore precipitated by the execution of Osama bin Laden by American Special Forces in an unauthorized midnight raid on his residence in Abbottabad in any way improved the position of Pakistan's Christians – not that they have, or ever have had, anything whatsoever to do with American foreign policy. Nevertheless they provide a very convenient and readily accessible set of scapegoats, not just because they can be portrayed as allies of 'the Crusaders', but also because their very presence in Pakistan, together with any efforts (however mild) which the authorities might take to protect their interests can be portrayed by the neo-fundamentalists as a craven refusal to uphold the dignity of Islam.

So it that whilst liberal voices in the administration and the upper reaches of the judiciary have so far managed to ensure that the most egregious punishments laid down in the Hudood ordinance and the Blasphemy Law are not implemented by the formal institutions of the State (although they are now increasing danger of losing their lives if they show an over-eager commitment in that direction), the formal institutions of the state are both unable and unwilling to offer significant protection to those who find their lives threatened by an ever more powerful collection of neo-fundamentalist non-state actors who are ready and willing to teach their chosen targets amongst Pakistan's religious minorities (and now those who speak up for their rights as well) a lesson: namely that their only proper fate is to be subjected to ethnic and religious cleansing.

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