

RISE OF EXTREMISM AND CHALLENGES TO FREEDOM OF
BELIEF: A CRITICAL ANALYSIS OF PAKISTAN'S
INTERNATIONAL HUMAN RIGHTS COMMITMENTS



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To the resilient religious minorities across the globe, whose unwavering spirit and enduring strength inspire us to champion the cause of inclusivity, equity, and justice for all.

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ABSTRACT

This study delves into the intricate relationship between the surge of extremism in Pakistan and the nation's adherence to its international human rights obligations, particularly concerning freedom of belief. Recognizing a significant research gap, the study underscores the limited exploration of Pakistan's international human rights commitments in the context of freedom of belief. The research problem centers on the multifaceted challenges posed by extremism, which not only infringes upon the fundamental human rights of Pakistani citizens but also jeopardizes the nation's international reputation. The present study intends to critically scrutinize the relationship between extremism and freedom of religion in Pakistan, assessing their alignment or misalignment with international human rights norms. The research employed a qualitative methodology to gather and analyze data from primary and secondary sources through semi-structured interviews and documentary analysis. Key findings indicate that Pakistan is not legally bound by international obligations nonetheless the rise of extremism and its attendant violations of the freedom of belief adversely affects Pakistan's global standing despite continued efforts by the government to redress such circumstances. The importance of this research lies in its timely input towards global discussions on human rights and religious freedom, offering practical policy insights for informed advocacy and action.

Keywords: Extremism, Freedom of Belief, International Human Rights, Pakistan

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LIST OF ABBREVIATIONS

AD	Assistant Director/s
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CPO	City Police Officer
CLAAS	Center for Legal Aid Assistance and Settlement
CII	Council of Islamic Ideology
CRC	Convention on the Rights of the Child
CVE	Countering Violent Extremism
DD	Deputy Director/s
DPO	District Police Officer
ECHR	European Court of Human Rights
EU	European Union
FATF	Financial Action Task Force
FIR	First Information Report
HRC	Human Rights Council
HRCP	Human Rights Commission of Pakistan
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
JI	Jamaat-i-Islami
JUI – F	Jamiat Ulema Islam - Fazl
KP	Khyber Pakhtunkhwa
LHC	Lahore High Court
LoN	League of Nations
NACTA	National Counter Terrorism Authority
NCHR	National Commission on Human Rights
NGOs	Non-Governmental Organizations
PBUH	Peace Be Upon Him
PCLJ	Pakistan Center for Law and Justice

RSS	Rashtriya Swayamsevak Sangh
SDPI	Sustainable Development Policy Institute
SHO	Station House Officer
TTP	Tehreek-e-Taliban Pakistan
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNHCR	United Nations Human Rights Committee
VCLT	Vienna Convention on the Law of Treaties

CHAPTER 1 INTRODUCTION

The majority of the population in the Islamic Republic of Pakistan follows Islam, although the country is home to multiple religious communities. As per the 2017 national census, around 96% of the population identifies as Muslim, with the remaining 4% comprising a variety of religious communities including Hindus, Christians, Parsis, Baha'is, Sikhs, Buddhists, Kalash, and Jains.¹

Upon achieving independence, religious minority groups constituted 25% of Pakistan's total population. Over time, the percentage of religious minority groups has dwindled significantly and currently accounts for only 4% of the population. Several minority rights groups say the 2017 census undercounted minorities, which will reduce their political power because the sum total of places they have in the upper and lower house is grounded in census data.² Nonetheless, the overall decline in the percentage of religious minority groups has been attributed to various factors, including instances of religious violence and discriminatory practices.³ Census data from 1951 reveals that the overall share of non-Muslims in Pakistan was 14.2%. However, the initial non-Muslim populace in West Pakistan, now recognized as Pakistan, stood at 3.44%. Conversely, in East Pakistan, presently known as Bangladesh, the non-Muslim demographic accounted for 23.2% of the population. Following East Pakistan's secession from West Pakistan, subsequent census records reflected a notable decline in the overall count of non-Muslims in Pakistan. This decline, however, did not accurately portray the genuine migration patterns of non-Muslim populations from Pakistan.⁴

¹ Lisa Curtis, "Religious Freedom in Pakistan: Glimmers of Light on a Darkening Horizon," *The Review of Faith & International Affairs* 14, no. 2 (April 2, 2016): 23, <https://doi.org/10.1080/15570274.2016.1184439>.

² Office of International Religious Freedom, "2022 Report on International Religious Freedom: Pakistan" (U.S. Department of State, 2023), 5, <https://www.state.gov/reports/2022-report-on-international-religious-freedom/pakistan/>.

³ Farahnaz Ispahani, "Constitutional Issues and the Treatment of Pakistan's Religious Minorities," *Asian Affairs* 49, no. 2 (April 3, 2018): 223, <https://doi.org/10.1080/03068374.2018.1468544>.

⁴ Mukesh Rawat, "No, Pakistan's Non-Muslim Population Didn't Decline from 23% to 3.7% as BJP Claims," *India Today*, accessed December 10, 2023, <https://www.indiatoday.in/india/story/pakistan-bangladesh-non-muslim-population-citizenship-amendment-bill-bjp-1627678-2019-12-12>.

Pakistan's 1973 Constitution guarantees religious freedom for everyone, including minority faiths. Nonetheless, it is worrisome that certain extremist groups within the country seem to be undermining this constitutional provision for religious liberty for other religious communities which includes Muslims who belong to a different sect than their own by using religion as a tool.⁵

1.1 Background

Extremism is defined as the promotion of a belief system that asserts the preeminence and control of a specific social community or 'in-group' over all external groups or 'out-groups', thereby fostering a dehumanizing mentality of marginalization and alienation that opposes the comprehensive implementation of universally applicable human rights.⁶ Extremist factions, employing both overt and covert methods, advocate for a fundamental restructuring of society that aligns with their ideological framework.⁷ The historical context of the ascent of extremism can be discerned from the pre-partition period, where each successive government administration exhibited indications of extremism. This was particularly evident in their manipulation of religion to advance their political objectives, as exemplified by Yahya's and Bhutto's strategic use of Islamic rhetoric for their bids to retain political power. Nonetheless, 1970s–80s saw an increased wave of Islamization in Pakistan, driven by military autocrat General Zia, support for the Afghan Jihad in line with the conflict in Afghanistan. The pivotal turning point was witnessed with the Soviet Union's defeat in Afghanistan, leading to the emergence of the Taliban movement which brought with it a particularly extremist version of Islam. Prior to this era, Pakistani society was characterized by a relatively moderate religious ethos.⁸ Following the September 11, 2001 attacks, there was a marked rise in racial and religious prejudice, as well

⁵ Musferah Mehfooz, "Religious Freedom in Pakistan: A Case Study of Religious Minorities," *Religions* 12, no. 1 (January 2021): 1, <https://doi.org/10.3390/rel12010051>.

⁶ Jasmeet Sahotay, Sarah Ashraf, and Zain Hakim, "Lessons for Civil Society in the Development of Effective Counter-Narrative Campaigns," *Voices of Pakistani Youth* (London, UK: Institute of Strategic Development, August 2019), 8, https://www.isdglobal.org/wp-content/uploads/2020/11/2020_11_20-YC-PAKISTAN-V8.pdf.

⁷ *Ibid.*

⁸ Shaun Gregory, "Under the Shadow of Islam: The Plight of the Christian Minority in Pakistan," *Contemporary South Asia* 20, no. 2 (June 1, 2012): 195–212, <https://doi.org/10.1080/09584935.2012.670201>.

as intolerance. The incidents of 9/11 created a religious divide globally, giving rise to an ‘Us versus Them’ mentality that continues to influence international relations.⁹

These historical events reflect the intricate interplay between regional power dynamics, strategic alignments and religious influences. The geopolitical and sociopolitical transformations that unfolded during this period shaped Pakistan's trajectory, steering it through a course influenced by global and regional circumstances. The religious dimension is crucial for global political and societal equilibrium, and the convergence of religious and political realms has created intricate dynamics in international affairs. As a result, the global landscape has become increasingly inhospitable for diverse faiths and traditions, primarily due to the rise of religious extremism.¹⁰

The right to freedom of belief is strongly secured by key documents in international human rights law and is well-established as a standard practice within the global legal system. This expansive right encompasses the liberty to select or embrace a belief system, articulate religious views through diverse acts of worship, and exercise these either individually or as a group, in both public and private settings. Additionally, this right extends to the option of maintaining the confidentiality of one's religious beliefs. International law mandates that States must refrain from religious discrimination and take action against such discrimination or violence perpetrated by non-State entities.¹¹ Pakistan is also morally obligated to provide the aforementioned rights to its citizens since it ratified the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) in 1948¹² and 2010¹³ respectively. November, 2022 saw Pakistan being

⁹ Minhas Majeed Khan, “US Foreign Policy and the Future of Democracy and Religious Freedom in Pakistan,” *The Review of Faith & International Affairs* 11, no. 1 (March 1, 2013): 84–86, <https://doi.org/10.1080/15570274.2012.760973>.

¹⁰ Minhas Majeed Khan, “Violent Extremism: The Status of Religious Minorities as Targets and Victims in Pakistan,” *Peshawar Islamicus* 8, no. 1 (June 2017): 3–4, <http://journals.uop.edu.pk/papers/Violent%20%20Extremism.pdf>.

¹¹ “Violations of the Right to Freedom of Religion or Belief in Pakistan” (Geneva, Switzerland: International Commission of Jurists, July 2021), 3, <https://icj2.wpenginepowered.com/wp-content/uploads/2021/07/Pakistan-FoRB-Advocacy-Analysis-biref-2021-ENG.pdf>.

¹² Ministry of Human Rights, “Information and Learning Material on Core Human Rights Conventions Ratified by Pakistan” (Government of Pakistan, 2022), 1, <https://mohr.gov.pk/SiteImage/Misc/files/Information%20and%20Learning%20Material%20on%20Core%20Human%20Rights%20Convention.pdf>.

titled as a ‘Country of Particular Concern (CPC)’ by the United States of America (USA) because of its religious freedom violations, but the US waived the accompanying sanctions due to national interests.¹⁴

1.2 Research Gap

There is a paucity of research that considers Pakistan's international human rights commitments related to freedom of belief. There is some published research but it is few and far in between. The predominant body of research comprises reports originating from foreign governmental bodies and international as well as national non-governmental organizations, often lacking in comprehensive consideration of the theoretical frameworks pertinent to the issue at hand. Much of the existing research focuses on either the rise of extremist tendencies in Pakistan or the country's domestic political and legal scenario. However, the research so far often fails to adequately examine the nexus between these dynamics and Pakistan's compliance with its international human rights obligations. This present study will aim to address this particular gap in the existing literature. A comprehensive understanding of Pakistan's international human rights commitments is essential for future dialogue and action.

1.3 Problem Statement

The rise of extremism in Pakistan presents a multifaceted challenge, as it undermines the nation's capacity to fulfill its global obligations aimed at safeguarding freedom of belief. This phenomenon not only compromises the fundamental human rights of its citizens but also casts a shadow on Pakistan's international reputation. Consequently, there is a pressing need to comprehensively understand the intricate interplay between extremism, freedom of belief, and their far-reaching consequences for Pakistan's sociopolitical landscape and global standing.

1.4 Research Questions

Following research questions were addressed in this thesis:

1. Has extremism in Pakistan led to violations of freedom of religion and belief?

¹³ Ibid., 7.

¹⁴ Office of International Religious Freedom, “2022 Report on International Religious Freedom: Pakistan,” 4.

2. What international human rights commitments is Pakistan bound by, and how can they be used to promote freedom of belief?
3. What are the long-term consequences of extremism and violations of freedom of religion and belief for Pakistan's international standing?

1.5 Objectives

This thesis has the following objectives:

1. To critically examine the nexus between extremism and freedom of religion in Pakistan, with a focus on their alignment or misalignment with international human rights norms.
2. To investigate and analyze the enduring ramifications of extremism and human rights violations on both the internal stability of Pakistan and its positioning within the international community

1.6 Significance of the Study

The present research holds substantial significance as it addresses a critical gap in existing research, exploring the intricate interplay between extremism, freedom of belief, and Pakistan's compliance with international human rights commitments. By delving into the implications of extremism on religious freedom and its wider consequences for human rights, this study offers practical policy insights and contributes to global discussions on human rights and religious freedom. It is particularly timely given Pakistan's recent designation as a 'Country of Particular Concern' for religious liberty violations. Additionally, the research examines the long-term repercussions of these dynamics on Pakistan's internal stability and international reputation, making it essential for informed policy and advocacy efforts.

CHAPTER 2

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Literature Review

The thematic literature review thoroughly examines previous scholarly works, identifying existing gaps, and providing a comprehensive understanding of the subject matter, laying the groundwork for future research.

2.1.1 Rise of Extremism

Hassan Abbas in his book titled, *Pakistan's Drift Into Extremism*, states that Pakistan's trajectory towards extremism is a complex interplay between religious ideologies, military ambitions, and international politics. According to Abbas, the emergence of Islamic extremism in Pakistan cannot be viewed as an isolated occurrence, but rather as a consequence of institutional deficiencies and foreign factors, with particular emphasis on the influence exerted by the United States. The author of the book offers a historical context, emphasising significant occurrences such as the partition of India and Pakistan, military coups, and the Afghan jihad, which has played a pivotal part in determining the present condition of the country. The author underscores the necessity of adopting a comprehensive strategy to address extremism, encompassing political restructuring, enhancements in education, and collaboration on a global scale. Abbas advocates for a reassessment of the diplomatic ties between Pakistan and the United States. The author posits that fostering a collaboration characterised by equilibrium and transparency could yield advantages for both countries as well as contribute to the broader efforts in combating extremism.¹⁵

Madiha Afzal's book titled, *Pakistan under Siege: Extremism, Society and the State*, delves into the underlying structural factors contributing to extremism in Pakistan, with a specific emphasis on the domains of law, education, and Islamism. In her study, Afzal utilises a mixed methods framework that integrates public opinion surveys, interviews and historical analysis to address the intricate web around extremism among ordinary individuals in Pakistan. She finds that while a majority opposes terrorism, their nationalistic ideologies often lean towards extreme narratives, fueled by anti-Indian sentiment, resentment against

¹⁵ Hassan Abbas, *Pakistan's Drift into Extremism: Allah, the Army and America's War on Terror* (New York, NY, USA: Routledge, 2015).

U.S. policies, and a sense of 'national victimhood'. The book also delves into the role of the Pakistani state and its education system in nurturing these extremist views.¹⁶

In Dr. Sadia Nasir's book titled *Extremism and Counter-Extremism Narratives in Pakistan: An Analysis of Narrative Building* she thoroughly investigates the roots and impact of extremism in Pakistan since its establishment in 1947. Using a blend of Aristotle's Rhetoric, Securitization Theory, and Constructivism, Nasir dissects how narratives shape extremism, focusing on speakers, subjects, and audiences. The theoretical framework emphasizes the power of language and examines how extremists manipulate it to legitimize violence. Exploring state, non-state, and foreign actors' contributions to extremist narratives, Nasir reveals how these narratives are deeply embedded in Pakistan's social and religious spheres. Moreover, it illuminates how these narratives, once established, are sustained and expanded through theological concepts, educational distortion, religious indoctrination, and linguistic manipulation. Nasir's work serves as a wake-up call, warning of the formidable challenges in eradicating deeply ingrained extremist beliefs and constructing effective counter-narratives for a more peaceful and resilient Pakistan.¹⁷

According to Syeda Ulya Ehsen Kazmi's research paper, titled "Rise in Public Approval of Religious Extremism in Pakistan" there has been discernable trend wherein the vote share of extremist religious parties has witnessed an upward trajectory since the mid-1990s, in contrast to their non-extremist counterparts. The author investigated the shifting dynamics of vote shares attributed to extremist and non-extremist religious parties from 1970 to 2018 encompassing ten pivotal General Elections that shaped the trajectory of Pakistan's National Assembly. Noteworthy is the observation that the zenith of the extremist parties' vote share was attained during the 2002 elections, a period coinciding with the military regime of General Musharraf. However, the subsequent democratic resurgence in 2008 led to a decline in their vote share. A salient transition is evident in the most recent election of 2018, as the extremist parties' vote share demonstrates a notable resurgence, approaching levels reminiscent of the pivotal 2002 election. The researcher discovered a negative correlation between educational attainment and backing for political organizations

¹⁶ Madiha Afzal, *Pakistan Under Siege: Extremism, Society, and the State* (Brookings Institution Press, 2018), <http://www.jstor.org/stable/10.7864/j.ctt1hfr16s>.

¹⁷ Dr. Sadia Nasir, *Extremism and Counter-Extremism Narratives in Pakistan: An Analysis of Narrative Building*, 1st ed. (Abingdon and New York: Routledge, 2023).

with extreme religious ideologies in larger provinces such as Sindh and Punjab. This pattern was not observed in smaller provinces like Khyber Pakhtunkhwa (KP) and Balochistan. Conversely, a direct correlation was found between financial affluence, as indicated by income tax filings of voters, and their support for religious extremist parties.¹⁸

2.1.2 Spectrum of Threats to Freedom of Belief in Pakistan

According to Musferah Mehfooz's research paper, titled "Religious Freedom in Pakistan", a pattern of reactive aggression emerged, with Christian communities often bearing the brunt of Muslim discontent over Western actions perceived as anti-Islamic. As a result, some Pakistani Muslims view Christians in the country as stand-ins for the West, and this perception comes at a significant cost for the Christian community.¹⁹

The Open Doors' 2023 World Watch List report underscores the systemic discrimination that Christians encounter in Pakistan. The report mentions instances of violence and harassment against Christians, with a focus on individual targeting. While church attacks were limited, assaults on individuals were prevalent. Christian women and girls were especially vulnerable to abduction, forced marriages, and conversion from their faith. The authorities showed apathy in protecting minority communities and holding perpetrators accountable.²⁰

According to the US Department of State's report titled, '2022 Report on International Religious Freedom: Pakistan', civil society advocates and media have been focusing on incidents involving the abduction and sexual assault of young women from Christian and Hindu backgrounds. Victims have cited deliberate targeting based on their religious affiliations. The Center for Legal Aid Assistance and Settlement (CLAAS) and the Pakistan Center for Law and Justice (PCLJ) have documented cases of abductions against

¹⁸ Syeda Ulya Ehsen Kazmi, "Rise in Public Approval of Religious Extremism in Pakistan," *Munich Personal RePEc Archive*, 4, accessed August 31, 2023, https://mpra.ub.uni-muenchen.de/114872/1/MPra_paper_114872.pdf.

¹⁹ Mehfooz, "Religious Freedom in Pakistan," 9.

²⁰ "The World Watch List 2023" (Open Doors, 2023), 9, <https://www.opendoors.org.au/wp-content/uploads/2023/01/WWL-Book-2023-Digital-PDF.pdf>.

women from religious minority communities. On January 17, 2022 human rights organizations staged a protest at the Karachi Press Club to address these ongoing issues.²¹

A National Commission on Human Rights (NCHR) report titled ‘Unequal Citizens: Ending Systematic Discrimination Against Minorities’ found that 80% of non-Muslim individuals appointed to public sector roles within the 5% quota were engaged in labor-intensive sanitation roles with modest remuneration. The report highlighted challenges faced by minority populations, including adverse occupational conditions, inadequate protective gear, precarious employment, and limited compensation provisions. Some roles were specifically advertised or permissible for non-Muslim applicants. The report recommended the introduction of mechanized systems in situations where manual sanitation laborers face life-threatening or injury-prone scenarios and advocated for social security measures and healthcare benefits for this segment of workers.²²

The thesis “Perspectives from the Margins: A Case of Christian Female Sweepers in Lahore” by Ayra Indrias Patras delves deeply into the intricate lives of Christian women sweepers in Lahore, Pakistan. Through an adept use of an intersectional lens, the research meticulously unpacks the layers of discrimination and disadvantage these women face, stemming from their roles in sanitation, their religious minority status, their lower caste origins, socio-economic standing, and gender. The core objective of the study is to illuminate the perspectives of these marginalized women, focusing on their occupational hurdles, societal boundaries, and aspirations for the future. Grounded in the theoretical paradigms of Intersectionality, Feminist Standpoint Theory, and Postmodern Feminism, the research endeavors to amplify the voices of these marginalized women, highlighting their unique experiences of overlapping oppressions and suggesting avenues for empowerment. The historical context is also touched upon, noting that many Christian communities in Pakistan have their roots in the untouchable sweeper castes, leading to persistent socio-cultural biases and derogatory perceptions linked to their sanitation roles. The subsequent sections of the thesis offer a qualitative exploration into the daily lives of these women, as

²¹ Office of International Religious Freedom, “2022 Report on International Religious Freedom: Pakistan,” 41–42.

²² Khushbakht Sohail, “Unequal Citizens: Ending Systematic Discrimination Against Minorities” (National Commission of Human Rights, May 2022), 4, <https://www.nchr.gov.pk/wp-content/uploads/2022/05/Minority-Report.pdf>.

they grapple with the dual challenges of public patriarchy in their professional lives and private patriarchy within their homes. Their strategies of resistance, agency, and aspirations for their offspring are intricately woven into the narrative. Additionally, the research delves into their perceptions of citizenship in the religiously nuanced landscape of Pakistan and their interactions with pivotal institutions that influence their identities and life choices.²³

According to Musferah Mehfooz's research paper, religious radicals employ derogatory language and stigmatizing labels against religious minorities in Pakistan to express their animosity, affecting both social and professional settings.²⁴ In the report titled, 'Searching for Security: The Rising Marginalization of Religious Communities in Pakistan' published by Sustainable Development Policy Institute (SDPI) it is discussed that a bias exists in the broader society manifesting as pervasive prejudice against minorities in various settings like workplaces, educational institutions, media, and even communal graveyards. In recent incidents, local extremists have either prevented the burial of or exhumed the bodies of deceased minority members. Discriminatory language and unfavorable portrayals of religious minorities continue to be prevalent in some media outlets and educational resources.²⁵

Furthermore, community figures argue that the government's response to bonded labor practices, particularly among religious minorities, is insufficient. Owners of property often manipulate people into long-term involuntary service as a means to settle financial obligations, a situation that can persist across multiple generations. Dalits of the Hindu faith are particularly susceptible to infringements on their basic rights, including intimidation to retract legal complaints. According to a 2022 report by an organization advocating for the freedom of indentured workers, approximately 8 million individuals are trapped in this form

²³ Ayra Indrias Patras, "Perspectives from the Margins: A Case of Christian Female Sweepers in Lahore" (Ph.D. Thesis, Lahore, Pakistan, University of the Punjab, 2019), https://pr.hec.gov.pk/jspui/bitstream/123456789/15881/1/Ayra%20Indrias%20Patras%202020%20gender%20studies%20uop%20hr%20%282021_02_17%2008_38_22%20UTC%29.pdf.

²⁴ Mehfooz, "Religious Freedom in Pakistan," 9.

²⁵ Shikha Dilawri et al., "Searching for Security: The Rising Marginalization of Religious Communities in Pakistan" (Sustainable Development Policy Institute, 2014), 3, https://doi.org/10.1163/2210-7975_HRD-0209-2014002.

of modern-day slavery. Nearly all are engaged in the brick-making industry, and most belong to either Christian or Hindu communities traditionally considered lower caste.²⁶

According to the US Department of State's report, advocates for human rights and religious freedom, including minority religious communities, have consistently shown circumspection and self-imposed restraint in their advocacy for religious tolerance, due to the prevailing atmosphere of intolerance and apprehension. Some activists have even faced threats to their lives as a direct result of their advocacy efforts.²⁷

2.1.3 Legal Protections for Freedom of Belief in Pakistan

Muhammad Ali Jinnah, the visionary behind Pakistan's establishment, envisaged a nation built upon the principles of fairness and equal rights for minority communities.²⁸ Officially designated as an Islamic Republic through the Objectives Resolution of 1949, Pakistan committed to ensuring equal fundamental rights and safeguarding all citizens against any form of discrimination.²⁹ This commitment to equality and non-discrimination has been consistently reaffirmed in the country's successive constitutional frameworks of 1956, 1962, and 1973.³⁰

The 1973 Constitution of Pakistan, specifically Articles 20, 21, 22, 25, 26, 27, and 36, safeguards citizens' rights to practice and share their religious beliefs within the confines of the law, public order, and social morality. It establishes that individuals are not obliged to partake in religious rituals or observances of different faiths. Furthermore, the constitution upholds the principle of autonomy in managing religious institutions, ensuring each religious denomination's right to establish and sustain its establishments. It also prohibits coercion into contributing special levies for the propagation of a religion contrary to one's personal beliefs. Notably, all citizens are to be dealt without distinction according to the law, and the State is obligated to protect the legitimate rights of religious minorities. Additionally, it stipulates

²⁶ Office of International Religious Freedom, "2022 Report on International Religious Freedom: Pakistan," 32.

²⁷ *Ibid.*, 45.

²⁸ S. Akbar Zaidi, "Religious Minorities in Pakistan Today," *Journal of Contemporary Asia* 18, no. 4 (January 1, 1988): 444, <https://doi.org/10.1080/00472338880000331>.

²⁹ Curtis, "Religious Freedom in Pakistan," 24.

³⁰ Gregory, "Under the Shadow of Islam."

that there should be no religious discrimination when accessing public places or in the recruitment of citizens for public service in Pakistan.³¹

In a lawsuit initiated by the Pakistan Hindu Council, the Supreme Court confirmed that each citizen holds the basic right to profess and propagate their faith. Addressing the issue of forced conversions, which was central to the case, the Court stated that any infringement of these basic rights could be directly challenged in court, eliminating the need for any specialized legislation on the matter. This was the case in which Rinkle Kumari's fate was decided. The case sheds light on the complexities surrounding legal protections for freedom of belief under Pakistani law. Rinkle's abduction and subsequent forced conversion to Islam, followed by her coerced marriage, sparked widespread controversy and raised serious concerns about the state's ability to safeguard religious freedoms. The involvement of influential figures like Mian Mitho, who reportedly used his influence to manipulate the legal process, further underscored the challenges faced by religious minorities in Pakistan. Despite efforts by Rinkle's family and human rights activists to seek justice, including filing petitions and holding press conferences, the legal proceedings remained fraught with irregularities and allegations of coercion. The Supreme Court's handling of the case, particularly its decision to accept Rinkle's statement of 'free will' without adequate scrutiny, highlighted systemic shortcomings in protecting the rights of minorities. Additionally, the Chief Justice's assertion that existing constitutional provisions were sufficient to safeguard minority rights, despite glaring evidence to the contrary in cases like Rinkle's, raised questions about the efficacy of legal protections for religious freedom in Pakistan. The case underscores the urgent need for comprehensive legal reforms and robust mechanisms to prevent forced conversions and protect the rights of religious minorities in Pakistan.³²

In the *Haji Muhammad Hanif Abbasi vs. Capital Development Authority* case, the Lahore High Court (LHC) ruled that under Article 20 of the Constitution, all individuals who have citizenship of Pakistan have the freedom to exercise and spread their religious beliefs. The court also affirmed that religious organizations possess a constitutional entitlement to oversee their own religious establishments. As a result, the court concluded that preventing

³¹ Constitution of Pakistan, "Chapter 1: 'Fundamental Rights' of Part II: 'Fundamental Rights and Principles of Policy'" (1973), <https://www.pakistani.org/pakistan/constitution/part2.ch1.html>.

³² *Pakistan Hindu Council vs. Pakistan* (2012 PLD SC 697)

the construction of a church would constitute a breach of the constitutional rights of Christian residents.³³

The 2014 Jilani judgment is a landmark legal directive in Pakistan focused on enhancing religious tolerance and minority rights. It sets forth a seven-point agenda, including the formation of a task force, educational reforms, and measures against hate speech. The judgment also advocates for a national council for minority rights, a specialized police force for minority places of worship, employment quotas for religious minorities, and swift legal action in cases of rights violations.³⁴

The legal framework surrounding blasphemy laws in Pakistan has sparked considerable debate, with critics arguing that these laws are ambiguous and prone to misuse, particularly against religious minorities. The landmark case of Asia Bibi brought international attention to this issue, highlighting flaws in the legal process and concerns about fair trial standards. Despite being convicted under blasphemy laws, Asia Bibi was eventually acquitted by the Supreme Court, which scrutinized the evidence presented and emphasized the principle of 'innocent until proven guilty.' While the Court condemned the misuse of blasphemy laws, it stopped short of proposing specific safeguards or punishments for false accusations, underscoring the complexities in balancing religious sensitivities with fundamental rights such as freedom of belief. Moving forward, comprehensive reforms are needed to address ambiguities in existing legislation, protect religious minorities, and promote tolerance within Pakistani society.³⁵

Pakistan's constitution sets aside seats for individuals from religious minority communities' representatives in both national and provincial legislative bodies. There are ten such seats in the National Assembly, and the Senate has four, with each province contributing one. Provincial assemblies also have varying numbers of reserved seats. These seats are proportionally allocated among political parties and are selected by party leaders,

³³ 2005 CLC 678

³⁴ "Consideration of Reports Submitted by States Parties under Article 40 of the Covenant," Initial reports of States parties due in 2011 (International Covenant on Civil and Political Rights, November 24, 2015), 31, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/267/96/PDF/G1526796.pdf?OpenElement>.

³⁵ Zia Ullah Ranjah, "A Critical Review of Asia Bibi Case," Shaikh Ahmad Hassan School of Law, accessed March 2, 2024, <https://sahsol.lums.edu.pk/node/12860>.

not through direct elections by minority communities. There is no mandate for community-based proportional representation.³⁶

According to the US Department of State's report activists in Punjab have criticized the inclusion of non-Muslim criteria in government job advertisements for sanitation workers, which they view as discriminatory. The Punjab government removed this requirement, following concerns raised by the NCHR chapter. The provincial governments of KP and Balochistan also enacted prohibitions against discriminatory job notices for sanitation workers. The aforementioned action was widely seen as a notable advancement in the effort to disassociate marginalised communities from prevailing societal stereotypes that associate them with unfavourable occupations.³⁷

In the article authored by Farahnaz Ispahani, it is observed that Pakistan, despite its initial commitment to religious freedom as enshrined in its founding principles, has experienced a significant rise in religious extremism and the targeted mistreatment of various religious minorities, encompassing both Muslim and non-Muslim communities. This research delves into the influence of legal frameworks and constitutional factors on the contemporary landscape in Pakistan. It highlights the difference between Pakistan's founding beliefs and its actual realities. This research essay analyses Pakistan's social and legal framework and the structural factors that marginalise religious minority communities.³⁸

2.1.4 Legal Protection for Freedom of Belief under International Law

According to the report, "Understanding and Extending the Marrakesh Declaration in Policy and Practice", the Marrakesh Declaration was promulgated in January 2016 in which Muslim leaders made a collective commitment to safeguarding the civil liberties of minority religious communities residing within Muslim-majority nations. Involving a diverse assembly of more than 250 influential figures such as Muslim religious leaders, heads of state, and intellectuals, the statement underscores the immorality of utilizing religious beliefs to violate the rights of minority religious communities. While the declaration's language is

³⁶ Gregory, "Under the Shadow of Islam."

³⁷ Office of International Religious Freedom, "2022 Report on International Religious Freedom: Pakistan," 32.

³⁸ Ispahani, "Constitutional Issues and the Treatment of Pakistan's Religious Minorities."

broad, it condemns any form of persecution under the guise of religious fervor.³⁹ Even though the Marrakesh Declaration represents a momentous improvement in recognizing the importance of religious freedom and minority rights in countries where Muslims are a majority, its implementation and impact on the ground require continued attention and concerted efforts to safeguard the protection of religious minorities in Pakistan and beyond.

According to Article 18 of the UDHR every individual possesses the entitlement to liberty of belief, moral convictions, and religious affiliation. This entitlement includes the freedom to change one's religion or belief, as well as the liberty, whether individually or collectively, in both public and private domains, to express and demonstrate one's religion or belief through instruction, adherence, devotional acts, and ceremonial observance.⁴⁰

In the year 2010, Pakistan demonstrated its unwavering commitment to adhering to internationally recognized human rights standards by officially ratifying the International Covenant on Civil and Political Rights (ICCPR). This significant step solidified Pakistan's obligation to uphold a range of fundamental rights and principles as outlined in this pivotal global agreement.

The ICCPR guides Pakistan's human rights protection and promotion. Article 18 of this covenant protects freedom of thought, conscience, and religion. The ICCPR states that citizens have the freedom to have their own beliefs, practice their religion freely, and be free from discrimination and coercion. Article 18(1) encompasses not only the liberty to own individual opinions, but also to openly articulate and engage in their manifestation. The article accentuates the prerogatives afforded to parents and guardians in guaranteeing the congruence between their children's religious and moral instruction and the convictions they hold dear.⁴¹

Article 19 of the ICCPR emphasizes free speech. This vital right ensures that citizens can freely express their views, opinions, and ideas, ensuring a lively and diverse public

³⁹ Susan Hayward, "Understanding and Extending the Marrakesh Declaration in Policy and Practice," Special Report (Washington DC: United States Institute of Peace, September 2016), <https://www.usip.org/publications/2016/09/understanding-and-extending-marrakesh-declaration-policy-and-practice>.

⁴⁰ United Nations Human Rights Office of the High Commission, "Universal Declaration of Human Rights," accessed April 13, 2023, <http://www.standup4humanrights.org/en/>.

⁴¹ United Nations Treaty Collection, "International Covenant on Civil and Political Rights," n.d., https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en.

dialogue. Many provisions of the covenant emphasize equality and non-discrimination, including 2(1), 3, 24, 26, and 27. These laws require states to treat all their residents equally under the law, without concern for race, religion, gender, or other protected characteristics. They affirm the right to equal protection and the elimination of discriminatory laws and practices. It is pertinent to note that Pakistan is additionally bound by two other prominent international conventions: the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)⁴² and the Convention on the Rights of the Child (CRC).⁴³

Besides Article 18 of the ICCPR, the right to religious freedom is strongly safeguarded by a variety of international documents concerning human rights, including the UN General Assembly's 1981 Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Various UN bodies, such as the Human Rights Committee and Special Rapporteurs, have further expanded on this right.⁴⁴

According to the Siracusa Principles, 1985 international law recognizes twelve in non-derogable basic rights, among which are the freedom of religion and the ban on religious discrimination.⁴⁵ Under international human rights law, individuals have the right to seek remedies for violations like religious discrimination. Countries are obliged to avert, forbid, and rectify such prejudice rooted in one's faith or conviction.⁴⁶

2.1.5 Role of Pakistani Government

The Pakistan Muslim League presented the country's first-ever National Internal Security Policy (NISP) in February 2014, and the NAP was announced a step ahead of the NISP.⁴⁷ According to the National Action Plan, 2014 a range of provisions aimed at

⁴² "Pakistan's Obligation Under International Law," Human Rights Watch, accessed September 7, 2023, <https://www.hrw.org/reports/1999/pakistan/Pakhtml-04.htm>.

⁴³ "Child Rights," National Commission on the Rights of Child, accessed September 7, 2023, <https://ncrc.gov.pk/child-rights/>.

⁴⁴ "Violations of the Right to Freedom of Religion or Belief in Pakistan," 9–10.

⁴⁵ American Association for the International Commission of Jurists, "Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights" (1985), <https://www.icj.org/wp-content/uploads/1984/07/Siracusa-principles-ICCPR-legal-submission-1985-eng.pdf>.

⁴⁶ "Article 18: An Orphaned Right" (All-Party Parliamentary Group on International Religious Freedom, 2013), 14, <https://appgfreedomofreligionorbelief.org/media/Article-18-An-Orphaned-Right.pdf>.

⁴⁷ Azam Khan and Aamir Saeed, "National Action Plan: Performance so Far," *Pakistan Institute for Peace Studies*, n.d., 90–103.

enhancing the status of religious minorities were to be implemented. These include meeting employment quotas for religious minorities in various services and undertaking a comprehensive review and revision of laws that are discriminatory. The plan also calls for curriculum reforms to foster interfaith harmony and addresses pressing issues such as forced marriages and conversions. Additionally, it outlines measures for the protection of religious sites belonging to minorities and ensures their security during public religious festivals.⁴⁸

However, experts have been concerned about the secrecy of military-led courts and the resumption of death penalty, another NAP point. Personal differences within the cabinet also hindered progress of the NAP. Security expert Imtiaz Gul argues that the NAP sounds an "ambitious wish list" and that practical measures have not been initiated to implement the plan. The Pakistan Army (Amendment) Act 2015 was passed, setting in place military-led courts to trial terrorists. However, only 22 of the hanged men were terrorists, meaning that the majority (43) were awarded penalty for other crimes. The Pakistani government has been focusing on dismantling the communication network of terrorists by registering SIM cards used in mobile phones for terrorism. The Federal Investigation Agency (FIA) has registered 64 cases of money transfer through *hawala hundi*, arrested 83 people, recovered 101.7 million rupees, and registered nine cases for suspicious transaction. The State Bank of Pakistan has frozen 120 accounts worth 10.1 billion rupees. Hate speech, social media, and glorification of terrorists are also being investigated, but the government has not taken any action against any proscribed organization. The government has arrested 4,068 people, registered 955 cases across the country, and sealed 70 shops. The Pakistan Electronic Media Regulatory Authority (PEMRA) has as of yet not devised any strategy to check the glorification of terrorists on the media.⁴⁹

Pakistan has implemented a comprehensive counter-violent extremism (CVE) strategy, adopting an international model of engagement and de-radicalisation. The policy is divided into two pronged: de-radicalisation and counter-radicalisation. After defeating the Tehreek-e-Taliban Pakistan (TTP) in Swat, a rehabilitation programme for indoctrinated

⁴⁸ "National Action Plan, 2014," National Counter Terrorism Authority, accessed September 7, 2023, <https://nacta.gov.pk/nap-2014/>; Ministry of Human Rights, "Action Plan Against Religious Persecution," Ministry of Human Rights | Government of Pakistan, accessed October 11, 2023, <https://mohr.gov.pk/Detail/Zjg3NjNjYTAtMDIIZC00Yzg3LWJIZGMtMmExYzlhMzVhM2Zk>.

⁴⁹ Khan and Saeed, "National Action Plan: Performance so Far."

youth was introduced under the supervision of the Pakistan Army. Operation Zarb-e-Azb was launched on June 15, 2014, in tribal areas after peace talks with the Taliban ended without achieving their objectives. The operation proved successful in debasing and dismantling the organizational structure of militant outfits active in the FATA. The government passed various bills reflecting international models of CVE, including the National Counter-Terrorism Authority Bill in 2013, which revitalised the dysfunctional National Counter-Terrorism Authority (NACTA).⁵⁰

Non-governmental organisations (NGOs) have expressed concerns regarding potential reprisals, resource constraints, and perceived indifference, leading to a deficient execution of punitive measures against perpetrators. Multiple factors have been delineated as contributors to this prevailing situation, encompassing inadequate law enforcement, instances of bribery, and external pressures influencing victims, culminating in the retraction of legal recourse.⁵¹

As per statements from representatives of diverse religious minority factions, the Pakistani government has undertaken a nationwide survey of former religious properties, primarily Hindu temples and Sikh *gurdwaras*, aiming to return and restore them to their respective communities. By June 2022, 95 percent of these properties had been surveyed and documented digitally, with collaborative efforts initiated for their renovation. Notable restoration projects, including a temple and six churches in Punjab, are in progress, with an expected completion date of June 2023, although funding challenges have slowed down the restoration work. Furthermore, the government successfully restored the *Jain Mandir* temple in Lahore, which had been damaged during religious unrest in 1992, following a directive from the LHC. This restoration allowed the temple to be reopened to the public.⁵²

Civil society organizations persisted in their reports regarding certain *madrassahs* across the nation, particularly those operating without proper registration, imparting teachings that were perceived as advocating violent extremism and fostering intolerance towards religious minority groups. These organizations also observed that the government

⁵⁰ Minhas Majeed Khan, "Countering Violent Extremism in Pakistan: An Appraisal of Pakistan's CVE Initiatives," *Strategic Studies* 4 (2015): 23–44.

⁵¹ Office of International Religious Freedom, "2022 Report on International Religious Freedom: Pakistan," 19.

⁵² *Ibid.*, 26.

was actively addressing this issue by pursuing *madrassah* registration and implementing curriculum reforms aimed at mitigating such teachings.⁵³

2.2 Theoretical Framework

The examination of the Pakistani minority communities' exercise of their right to freedom of belief in conjunction with the impediments posed to Pakistan's international human rights obligations due to the ascendance of extremism finds its most comprehensive elucidation through the application of the theoretical framework of Constructivism and the conceptual framework of Pyramid of Hate.

2.2.1 Constructivism

At the core of Constructivism lies the foundational premise that social reality in international politics is inherently subjective. It is within this realm of social interaction that the determinants of outcomes in global affairs are fundamentally rooted. This theoretical framework places a central emphasis on the significance of ideas and beliefs that shape the behavior of states within the international arena. The essence of Constructivism lies in the intersubjective awareness among actors, whereby the collective consciousness of individuals contributes to the formation of reality. Unlike approaches grounded in material forces, Constructivists operate within the realm of ideas. These ideas are fortified by a network of norms that govern the conduct of states.⁵⁴

Distinguished proponents of Constructivism, such as Alexander Wendt, notably assert that the nature of international politics is contingent upon the perceptions and actions of states, encapsulated in his axiom, "Anarchy is what states make of it."⁵⁵ Another luminary in Constructivist thought, Anthony Giddens, espouses the notion of 'structuration' within the international state system. This concept posits that the international state system is a product of human agency and that states possess the capacity to exercise their agency to alter this structure. In essence, states are not inherently bound by the constraints of the

⁵³ Ibid., 29.

⁵⁴ M. Cox and R. Campanaro, "Chapter 10: Constructivism and Gender Theory," in *Introduction to International Relations* (London, United Kingdom: The London School of Economics and Political Science, 2016), 130.

⁵⁵ Robert Jackson and Georg Sorensen, "Chapter 6: Social Constructivism," in *Introduction to International Relations: Theories and Approaches*, 3rd ed. (Oxford, United Kingdom: Oxford University Press, 2007), 209.

anarchic global system, as posited by Realist perspectives.⁵⁶ The roots of Constructivism extend to the eighteenth century, notably articulated by Giambattista Vico's assertion that history is a product of human agency, emphasizing that humans possess the capacity to influence and shape the course of their history, including the structures of the state system. Vico's perspective implies that if individuals collectively desire, they retain the potential to institute substantial changes within the existing system and usher in a novel paradigm.⁵⁷

Within the realm of Constructivism, scholars can be categorized into two distinct paradigms: Conventional Constructivists and Critical Constructivists. Conventional Constructivists, in their approach, disavow the existence of objective truth, positing that their assertions invariably constitute contingent and partial interpretations of the intricate world they seek to comprehend. In contrast, Critical Constructivists contend that objective truth remains elusive, asserting that the determinants of our reality and its perception are inherently bound to the exercise of power. Their primary aim revolves around the elucidation of the fundamental interplay between truth and power. Prominent figures among Conventional Constructivists encompass Alexander Wendt, Peter Katzenstein, Christian Reus-Smit, John Ruggie, Emanuel Adler, and Michael Barnett. Conversely, significant proponents within the realm of Critical Constructivism include David Campbell, Jim George, James Der Derian, R.B.J. Walker, Andrew Linklater, and Ann Tickner.⁵⁸ However, in the realm of International Relations Constructivism was introduced by Nicholas Onuf and Alexander Wendt in the 20th century.⁵⁹

Wendt's assertion posits that a state's identities and interests are not inherent but rather constructed through their interactions within the global system. Within the Constructivist framework, it is acknowledged that all states share a common desire for survival and security. However, this perspective delineates three distinct cultures of anarchy that states may internalize to varying degrees of intensity: Hobbesian, Lockean, and Kantian. The Hobbesian culture characterizes a state's perception of insecurity concerning all other

⁵⁶ *Ibid.*, 210.

⁵⁷ *Ibid.*, 211.

⁵⁸ *Ibid.*, 214–15.

⁵⁹ *Ibid.*, 215.

states, viewing them as potential threats. In contrast, the Lockean culture acknowledges a perceived threat from other states but seeks to manage it through adherence to international laws and norms, thereby averting full-scale conflict or hostility. The Kantian culture, by its very nature, embraces all states as allies, resolving disputes amicably and offering mutual support in the face of external threats from third parties.⁶⁰

In her 1996 book titled *National Interests in International Society*, Martha Finnemore delves into the examination of international norms and their impact on the identities and interests of nation-states. Finnemore, along with Alexander Wendt, falls under the category of Systemic Constructivists in their approach to international relations.⁶¹ In contrast, Thomas Risse argues that international norms yield distinct effects in various states, positing that this variation can be attributed to domestic factors such as the type of government, experiences with civil conflict, and the presence of domestic human rights organizations. Peter Katzenstein also contends that systemic theories alone are insufficient as they fail to adequately acknowledge how a state's internal composition influences its behavior on the global stage. Ted Hopf underscores the notion that a state's identity is primarily shaped within its domestic sphere especially by state leaders, consequently shaping its national interests and guiding its foreign policy decisions.⁶²

2.2.2 Pyramid of Hate

The Pyramid of Hate, as proposed by the Anti-Defamation League in 2018, serves as a conceptual and visual representation of the progression of hate, illustrating how initial prejudiced notions can rapidly evolve into harmful actions and even violence. This pyramid is structured with multiple interlinked tiers, emphasizing the escalating nature of unchecked hatred. While actions at every tier negatively impact individuals and communities, the severity and violence intensify as one ascends the pyramid.⁶³

⁶⁰ Jill Steans et al., "Chapter 7: Social Constructivism," in *An Introduction to International Relations Theory: Perspectives and Themes*, 3rd ed. (Essex, England: Pearson, 2010), 195.

⁶¹ Jackson and Sorensen, "Chapter 6: Social Constructivism," 218.

⁶² *Ibid.*, 223–24.

⁶³ Dr. Mahdi I. Kareem al-Utble, "A Critical Discourse Analysis of Hate Speech," *Journal of the College of Languages* 39 (2019): 23.

The Pyramid of Hate begins with its foundational level, 'Biased Attitudes', which represents everyday prejudices present in schools, workplaces, communities, and homes. This level manifests in forms like non-inclusive language, stereotypes, microaggressions, or thoughtless comments. While some biases might seem harmless, if not addressed, they can intensify into deeper feelings of aversion towards a particular group.

The next tier, 'Acts of Bias' emerges from these biased attitudes, showcasing how prejudices can evolve into actions like bullying, scapegoating, and derogatory jokes. Following this, the 'Discrimination' level signifies the tangible outcomes of these biases and actions. For instance, a biased mindset of mistrusting a group can lead to discriminatory actions like not hiring members of that group. Discrimination in workplaces can arise from various factors, from societal stereotypes to individual biases. It can range from subtle incivilities, like sarcasm or hostile glances, to more overt forms like workplace harassment. Religious harassment, for instance, can involve ridiculing someone's religious practices or beliefs, making derogatory comments about their attire, or pressuring them with religious propaganda.

The penultimate level, 'Bias-Motivated Violence', suggests that unchecked biases and discrimination can escalate into violence, such as property desecration, threats, assaults, and even acts like arson or murder. The pinnacle of the pyramid is represented by 'Genocide', encompassing a spectrum from isolated instances of violence to comprehensive endeavors aiming to eradicate entire communities. These actions not only target individuals but also extend to their places of worship, symbols, and cultural traditions.

The Pyramid of Hate illustrates the progression from simple prejudiced thoughts to acts of extreme violence. While not every bias leads to genocide, history shows that every act of genocide began with seemingly harmless biases. The best time to intervene is at the pyramid's base, promoting respect and efforts to eliminate hate. As one ascends the pyramid, the consequences become more severe and potentially fatal.⁶⁴ The following figure illustrates the structure of the Pyramid of Hate.

⁶⁴ Jawad Syed and Faiza Ali, "A Pyramid of Hate Perspective on Religious Bias, Discrimination and Violence," *Journal of Business Ethics*, April 13, 2020.

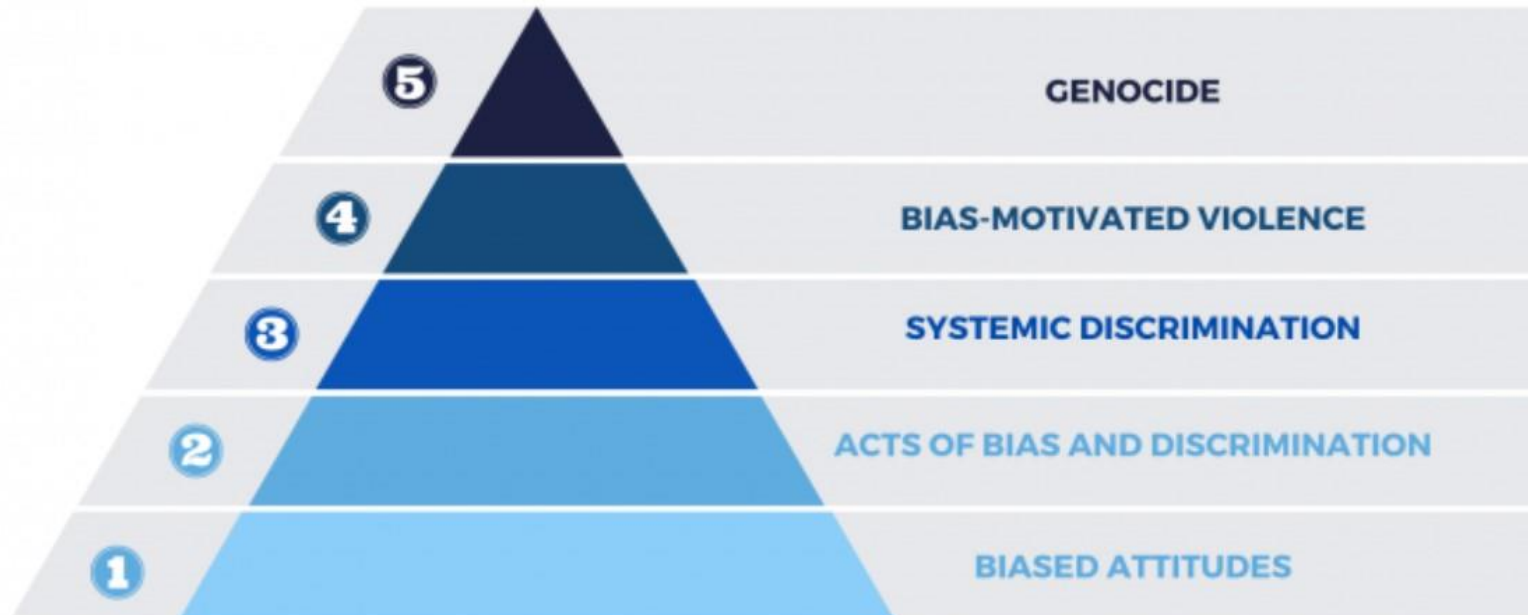


Figure 4.1 The Pyramid of Hate. “Columbia, United States of America” Office of the Attorney General for the District of Columbia. Accessed December 5, 2023, <https://oag.dc.gov/the-people-v-hate/what-is-hate>.

2.2.4 Application of Theoretical Framework

The lens of Constructivism helps to understand the relationship between Pakistan's international human rights commitments, especially regarding freedom of belief, and the rise of extremist ideologies that challenge these commitments.

2.2.4.1 Constructivism

Examining this phenomenon through a Constructivist analytical framework serves to underscore the pivotal role assumed by leaders within Pakistan in the molding of prevailing ideas, interests, and societal identities across distinct segments of the populace. These influential figures encompass a spectrum ranging from active proponents of violence against minority communities to those who deny its existence,⁶⁵ individuals who condemn such

⁶⁵ “Ashrafi Rejects US Report on Religious Freedom in Pakistan, Saudi Arabia,” *Radio Pakistan*, December 5, 2022, <https://www.radio.gov.pk/05-12-2022/ashrafi-rejects-us-report-on-religious-freedom-in-pakistan-saudi-arabia>.

violence,⁶⁶ and proponents actively engaged in advocacy and activism,⁶⁷ such as human rights entities.

Constructivism posits that States and social groups operate based on their subjective perceptions of internal and external environments. Within the constitutional framework of Pakistan, a deliberate choice was made to establish an Islamic character, potentially positioning citizens of other religions as secondary despite constitutional provisions for their equal treatment. This bifurcation within the citizenry along religious lines fosters discriminatory attitudes towards minority groups. The subjective comprehension of the State's identity encourages extremist social factions in Pakistan to engage in biased behaviors, fostering discrimination and, in extreme cases, perpetuating violence against these minority communities.

Interestingly, the promotion of Pakistan's Islamic Constitution originated from political groups initially opposed to the independence struggle and the concept of Pakistan. Subsequently, the Islamic nature of the Pakistani state served to consolidate the political authority of leaders such as Yahya Khan, Zulfikar Ali Bhutto, and Zia-ul-Haq during times of political upheaval and instability.⁶⁸ Different political elites and social groups who adhere to the idea of a religiously disposed Pakistan use this identity as a tool for promoting their political interests.

Pakistan has adopted Islam as its identity, yet a significant scholarly and activist discourse persists regarding the envisioned core of Pakistan's identity. Extremist social factions argue that Pakistan's predominantly Muslim demographic validates the adoption of a stringent interpretation of Islam. Conversely, liberal social groups oppose this notion, advocating for an interpretation of Islam characterized by inclusivity and acceptance of religious minorities. This ongoing debate has generated substantial contention, particularly between conservative and liberal social factions, regarding the definitive essence that

⁶⁶ Kunwar Khuldune Shahid, "Pakistan's Forced Conversions Shame Imran Khan," *The Spectator*, June 11, 2020, <https://www.spectator.co.uk/article/pakistan-s-forced-conversions-brings-shame-on-imran-khan/>; "Jaranwala Vandalism: Mufti Taqi Usmani Terms Targeting Christians 'Shameful,'" *The News*, August 18, 2023, <https://www.thenews.com.pk/latest/1101400-jaranwala-vandalism-mufti-taqi-usmani-terms-targeting-christians-shameful>.

⁶⁷ "Justice Isa Makes Solidarity Visit to Jaranwala," *The Express Tribune*, August 19, 2023, <https://tribune.com.pk/story/2431484/justice-isa-makes-solidarity-visit-to-jaranwala>.

⁶⁸ Abbas, *Pakistan's Drift Into Extremism: Allah, the Army and America's War on Terror*.

Pakistan was intended to embody. The Pakistani society exhibits a pronounced polarization, engendering fervent discourse on this issue within diverse societal strata. This polarization often engenders a standstill, wherein more progressive segments advocate for reform, juxtaposed against more extremist factions vehemently resisting it.⁶⁹ Within the contours of this constructed reality, those opposing orthodox viewpoints frequently find themselves subject to disdain and, regrettably, even violent reprisals. These political stances are a result of the impact of these ideological orientations, which have been instrumental in shaping their identities as either liberals or conservatives. This enduring clash between these groups with their conflicting identities poses an imminent threat to the very social cohesion of the Pakistani state.

Religiously heterogeneous states lacking a clear separation of church and state often experience political instability, as evidenced by Pakistan's context. Such internal instability tends to be characterized by religious conflicts. A pivotal nexus connecting internal and external conflicts within these nations pertains to the dynamic between marginalized religious factions within the states and the predominant religious factions in neighboring countries. An illustrative case is the Hindu community in Pakistan, which faces disadvantage in Pakistan but constitutes the dominant religious group in India. Connections between states where the dominant religious group shares affinities with oppressed religious groups in other states heighten the likelihood of external involvement in domestic conflicts.⁷⁰ In Pakistan's context, this dynamic surfaces when Indian government makes offers of Indian citizenship to Pakistani Hindus⁷¹ or the Indian media frequently comment on the state of the Hindu community in Pakistan, asserting that they live in fear within the country.⁷²

Notwithstanding the existence of international norms that unequivocally endorse freedom of religious belief for minority communities within Pakistan, the nation's leadership

⁶⁹ Vaughn P. Shannon, "Threat Perception and the Psychology of Constructivism," *International Studies Review* 9, no. 2 (2007): 259–61.

⁷⁰ Zeev Maoz and Errol A. Henderson, "Religion and World Politics: An Integrated Theoretical Perspective," in *Scriptures, Shrines, Scapegoats, and World Politics: Religious Sources of Conflict and Cooperation in the Modern Era* (Ann Arbor, Michigan: University of Michigan Press, 2020).

⁷¹ "Indian Citizenship for Hindus from Pakistan to Be Made Easier: Government," *The Indian Express* (blog), April 17, 2016, <https://indianexpress.com/article/india/india-news-india/pakistan-hindus-living-in-india-to-be-allowed-to-buy-property-open-bank-ac-2757322/>.

⁷² "Minorities Live in Fear as Incidents of Forced Conversion Rise in Pakistan: Report," *Asia News International*, March 16, 2023, sec. World, <https://www.aninews.in/news/world/asia/minorities-live-in-fear-as-incidents-of-forced-conversion-rise-in-pakistan-report20230316235450/>.

has consistently maintained a stance of indifference toward the suffering endured by its minority populations according to the member of minority communities; a claim that is vociferously denied by the government officials of Pakistan. The current situation persists despite Pakistan formally endorsing various international legal agreements that require the protection of minority rights within its borders primarily because the legal agreements were signed with reservations. Nonetheless, there is hope that Pakistan will eventually incorporate these international norms, leading to improved safeguarding of the fundamental rights of its religious minority groups. As Pakistani society engages with the global community, there's a growing realization that if it morally condemns discrimination against Muslims or Islamophobia in foreign nations, particularly in the Global North, it becomes imperative for Pakistan to uphold a more responsible treatment of minorities within its own borders. This change in its ideas is essential to fulfill Pakistan's ambitions to enhance its global reputation.

2.2.4.2 Pyramid of Hate

In Pakistan, religious minorities such as Christians, Hindus, Kalash, and others have historically faced varying degrees of prejudice and discrimination, which can be understood through the lens of the Pyramid of Hate.

At the foundational level, everyday prejudices against religious minorities in Pakistan manifest in schools, workplaces, communities, and homes. For instance, there might be stereotypes about Hindus being "idol worshippers" or Christians being "Westernized." Such biases can be seen in non-inclusive language, microaggressions, or even in school curriculums that might not adequately represent the history and contributions of these minorities.⁷³

Stemming from these attitudes, acts of bias emerge. Religious minorities might be the butt of derogatory jokes or scapegoated for societal issues. For instance, during times of geopolitical tension, Hindus in Pakistan might be unfairly associated with India and face backlash. Similarly, Christians might be targeted based on global events involving Western nations.⁷⁴

⁷³ Dilawri et al., "Searching for Security."

⁷⁴ Dr. Khaista Rehman, "Attitudes towards Religious Minorities in Pakistan: Gaps in the Literature and Future Directions," *Pakistan Languages and Humanities Review* 5, no. 2 (December 2021): 345–59.

This level sees the tangible outcomes of the biases. Hindus, Christians, and other minorities might face hurdles in job applications, especially in higher governmental positions.⁷⁵ They might also face societal pressure to convert, especially in mixed-faith marriages. Discrimination can also manifest in the form of blasphemy laws, which have been disproportionately used against religious minorities.⁷⁶

As unchecked biases escalate, they can lead to violence against these communities. Churches, temples, and other places of worship have been attacked. Individuals from these communities might face threats, assaults, or even be falsely accused of crimes leading to mob violence.⁷⁷

While Pakistan hasn't seen genocide in its strictest definition, there have been instances of large-scale violence targeting specific religious groups. The forced conversions of Hindu girls or the targeted killings of members from minority communities can be seen as extreme manifestations of hate.

The Pyramid of Hate serves as a stark reminder of the dangers of unchecked prejudice. While not every prejudiced thought leads to extreme violence, the escalation can be rapid if biases are not addressed. For Pakistan, ensuring the safety and equal rights of its religious minorities is not just a matter of moral obligation but also aligns with the country's founding principles. Addressing issues at the base of the pyramid, through education and awareness, is crucial to prevent escalation to the more severe levels.

The theoretical foundation of this thesis draws from both Constructivism and the Pyramid of Hate, providing a comprehensive framework for analysis. In adopting a Constructivist lens, we place particular emphasis on the role of ideas, norms, and identities, allowing us to explore how Pakistan's evolving beliefs and perceptions shape its international behavior. The Pyramid of Hate offers a comprehensive framework that highlights the progression of prejudice in society. Recognizing and addressing early stages

⁷⁵ Muhammad Akram, Asim Nasar, and Abid Rehman, "Religious Minority Rights and Their Satisfaction in Pakistan," *International Journal on Minority and Group Rights* 29, no. 1 (August 2, 2021): 87–101, <https://doi.org/10.1163/15718115-bja10044>.

⁷⁶ Roswitha Badry, "The Dilemma of 'Blasphemy Laws' in Pakistan – Symptomatic of Unsolved Problems in the Post-Colonial Period?," *Politeja*, no. 59 (2019): 91–106.

⁷⁷ Areesha Rehan Irfan, Hawwa Fazal, and Wara, "A Timeline of Attacks on Religious Minorities over the Last 12 Months," DAWN.COM, August 18, 2023, <https://www.dawn.com/news/1770617>.

of bias is crucial, as they can escalate to more severe forms of hate. This model emphasizes the importance of early interventions to prevent the growth of discrimination.

CHAPTER 3 RESEARCH METHODOLOGY

3.1 Research Approach

The research was qualitative in nature. Qualitative research is a systematic methodological approach to studying human behavior, social phenomena, and the subjective meanings individuals attach to their experiences.⁷⁸ An Interpretivist research approach was employed in this thesis which endeavored to generate knowledge and comprehension regarding the influence exerted by the rise of extremism on the violation of freedom of belief among minorities in Pakistan while concurrently exploring the nation's efforts to address this issue within the framework of the international human rights regime. The researcher utilized an Interpretivist methodological framework for data analysis, as this approach aims to comprehend the subjective interpretations and meanings ascribed by individuals who are both implicated in and impacted by the issues at hand. This facilitated a more nuanced exploration of the social phenomena being scrutinized.⁷⁹

Along with this archival or documentary-based analysis of sources was employed which entailed a meticulous examination of the international human rights regime, focusing on the text of the law. This methodological approach engendered a descriptive and thorough analysis of legal principles derived from primary sources such as international legal documents, statutes and regulations, facilitating the acquisition of a holistic comprehension of Pakistan's obligations towards minority communities who face difficulties in practicing their right to freedom of belief in Pakistan.⁸⁰

The methodological approach adopted in research delineates the researcher's pathway. Researchers face a binary choice between initiating original investigations or leveraging established theoretical frameworks. These approaches embody the paradigms of inductive and deductive reasoning. Proficient researchers adeptly infer intricate relationships

⁷⁸ Alan Bryman, *Social Research Methods*, 5th ed. (Oxford, United Kingdom: Oxford University Press, 2016), 374.

⁷⁹ Christopher Lamont, *Research Methods in International Relations*, 1st ed. (London: SAGE Publications, Inc., 2015), 32–33.

⁸⁰ P. Ishwara Bhat, "Doctrinal Legal Research as a Means of Synthesizing Facts, Thoughts, and Legal Principles," in *Idea and Methods of Legal Research*, ed. P. Ishwara Bhat (Oxford University Press, 2020), 0, <https://doi.org/10.1093/oso/9780199493098.003.0005>.

among multifaceted concepts by astutely leveraging available information. Inductive analysis typically commences from a singular data point, teeming with myriad potential interpretations, marking its genesis. Primarily, inductive reasoning serves as a conduit for crafting novel hypotheses, in contrast to deductive reasoning, which scrutinizes and substantiates pre-existing ideas. While both inductive and deductive approaches stem from empirical evidence, their methodological underpinnings diverge in problem-solving strategies. Ontologically, the recognition of divergent beliefs and the contextualized discussion of facts, rather than mere measurement, underscores this comprehension. Consequently, devoid of pre-existing theories and aligning with an ontological perspective emphasizing fact-based discussion, a descriptive study initiated from the ground up substantiates the rationale for employing an inductive research approach.⁸¹

The data was extracted inductively, which will be a bottom-up and exploratory analysis, because this approach is chosen to generate new insights and theories through the examination of specific observations and data collected during the research process. Given the paucity of prior research on the rise of extremism and challenges to freedom of belief, the inductive method is justifiable because it allows for the accumulation of diverse perspectives and experiences from key stakeholders. The thesis was guided by an inductive research strategy that permitted the exploration of novel insights and theories. It sought to contribute to existing knowledge by casting light on the intricate dynamics surrounding freedom of religion and belief along with their intersection with extremist elements.

3.1.1 Research Epistemology

The discipline of epistemology, concerned with the origins and methodologies governing knowledge acquisition, assumes a pivotal role in exploring the ontological underpinnings of knowledge. Given the profound influence of one's philosophical orientation on the interpretation of research findings, upfront transparency regarding this standpoint becomes imperative. Knowledge can be dichotomized into empirical and intuitive modalities, among other classifications, where intuitive comprehension hinges upon trust and belief, diverging from empirical knowledge predicated upon precise delineation and validation of phenomena. This rudimentary classification serves as a testament to the

⁸¹ Mimansha Patel and Nitin Patel, "Exploring Research Methodology: Review Article," *International Journal of Research and Review* 6, no. 3 (2019): 48–55.

profound impact of an individual's grasp of a subject, invariably shaping their methodological approach and subsequent data analysis.⁸²

Epistemology encompasses a spectrum of divergent philosophical paradigms, where prominent paradigms such as Positivism and Interpretivism constitute but a segment of this expansive domain. Researchers may opt for perspectives steeped in ideologies such as Feminism or Postmodernism, thereby engaging in critical inquiry to discern the complexities of the world. Yet, a comprehensive grasp of the intricate interplay among these diverse philosophical subfields and their potential implications for research unfolds through a comparative exploration, particularly when juxtaposing opposing philosophical schools such as Positivism and Interpretivism situated at antipodal ends of the philosophical continuum.⁸³

Interpretivism, as an epistemological orientation, emphasizes the importance of understanding human behavior and social phenomena within their specific cultural and historical contexts. This approach acknowledges that individuals construct their realities and that meaning is socially constructed. Therefore, this research focused on interpreting the perspectives, experiences, and beliefs of individuals directly impacted by extremism and freedom of belief in Pakistan.⁸⁴

3.1.2 Research Ontology

Ontology, as a discipline, primarily concerns itself with the fundamental nature of existence. One of the enduring and classic debates within this realm of inquiry revolves around the existence of God or a higher power, constituting a cornerstone in the annals of philosophical discourse. This perennial debate has served as a platform for philosophical investigation into various domains, encompassing inquiries into the essence of life, a priori reasoning, sensory perception, and the construction of persuasive arguments. Within the sphere of social sciences, the term ontology assumes a distinct role, delineating an

⁸² Susanne Vogl, Eva-Maria Schmidt, and Ulrike Zartler, "Triangulating Perspectives: Ontology and Epistemology in the Analysis of Qualitative Multiple Perspective Interviews," *International Journal of Social Research Methodology*, June 17, 2019, 1–14, <https://doi.org/10.1080/13645579.2019.1630901>.

⁸³ Nathalie Gontier, "On How Epistemology and Ontology Converge Through Evolution: The Applied Evolutionary Epistemological Approach," in *The Map and the Territory: Exploring the Foundations of Science, Thought and Reality*, ed. Shyam Wuppuluri and Francisco Antonio Doria (Cham: Springer International Publishing, 2018), 533–69, https://doi.org/10.1007/978-3-319-72478-2_30.

⁸⁴ Lamont, *Research Methods in International Relations*, 32–33.

individual's underlying perspectives regarding the nature of reality, particularly within the social context. These perspectives often manifest as a dichotomy between an objectively existing reality, distinct from observers, and a subjectively perceived reality, commonly negotiated within social groups. The former stance aligns with perspectives often characterized as Objectivist, Realist, or Foundationalist, while the latter tends to align with a Constructivist or Interpretivist ontology, which rejects the former's assumptions.⁸⁵

The ontology of the Interpretivist perspective was employed in this research since it aligns with the research questions because it recognizes that the social world is a complex web of subjective experiences and meanings. It acknowledges the existence of multiple and diverse realities, shaped by cultural, social, and historical factors. There is not only one view on the issue of freedom of belief and Pakistan's international law commitments. Hence, various realities exist for groups of individuals depending on a variety of factors one of which is the segment of society they belong to.⁸⁶

3.2 Population and Sampling

20 interviews were conducted due to pragmatic and practical reasons concerning cost and time. The data was garnered from semi-structured interviews or elite interviews of 10 legal scholars and 10 activists belonging to minority communities. The methodological approach adopted in this study involved a restriction to 20 interviews, and a selection calibrated to ensure the attainment of data saturation. This sampling strategy was meticulously designed to encapsulate a diverse array of perspectives while balancing the pragmatic consideration of reaching data saturation within the interview. The cessation of interviews upon reaching data saturation, signifying a point where no novel information or unique insights emerged from subsequent interviews, adhered to the methodological tenet of ensuring depth and comprehensiveness in capturing the nuanced dimensions inherent in the research scope.

The researcher employed the Purposive Sampling technique, a form of non-probability sampling, to select interview participants. This choice is motivated by the need to

⁸⁵ Mukhles Al-Ababneh, "Linking Ontology, Epistemology and Research Methodology," *Science & Philosophy* 8, no. 1 (November 18, 2020): 75–91.

⁸⁶ Bryman, *Social Research Methods*, 29.

ensure that interviewees possess the necessary expertise and relevance to discuss the subject matter affecting religious minorities in Pakistan.⁸⁷

3.3 Time Frame

Within the research framework, the delineation of the time horizon emerges as a critical component, representing the temporal scope within which researchers aim to study a specific population. This temporal boundary is intricately intertwined with the study's objectives and methodological design. Researchers may opt to investigate a population within a specific time horizon or across a defined period. The distinction between two fundamental study types—namely, longitudinal and cross-sectional—derives primarily from their orientation towards the time horizon. Cross-sectional studies involve the examination of samples captured at a single time point, providing a snapshot perspective within a particular temporal frame. Conversely, longitudinal studies track samples over time, offering a more flexible and dynamic exploration of the chosen time horizon.

Cross-sectional studies gather information from samples acquired within a predetermined time horizon, presenting a static portrayal of demographics and characteristics within a specific geographical context. In contrast, longitudinal studies entail periodic data collection from the same sample, enabling the observation of changes in attitudes, behaviors, and experiences over the selected time horizon.

Longitudinal studies, characterized by their continuous data collection, encompass an extensive time horizon that can potentially extend indefinitely. They scrutinize multiple samples acquired at diverse intervals, utilizing time-series data for comprehensive longitudinal analyses. Conceptually, a time series can be envisioned as a sequence of cross-sectional snapshots derived from an overarching dataset, covering the chosen time horizon. In longitudinal studies, regular and consistent sampling intervals track temporal changes within the same sample over the specified time horizon, eschewing the use of fresh samples in subsequent data collection rounds—an approach divergent from cross-sectional studies, where participants might be randomly reassigned to new groups at regular intervals within the chosen time horizon. Occasionally, research inquiries demand nuanced approaches, such as examining individuals or events in different temporal contexts within the chosen time

⁸⁷ Ibid., 410.

horizon to yield meaningful insights. Such investigations, spanning different temporal points in data collection, transcend conventional classifications of cross-sectional or observational studies, aligning more closely with the tenets of longitudinal analyses. Longitudinal studies consistently gather data on dependent variables across multiple temporal junctures within the chosen time horizon to comprehensively address research inquiries.⁸⁸

The research was cross-sectional in nature mainly due to time constraints however, it is doubtful that a longitudinal study would have produced significantly different results.

3.4 Data Collection and Data Analysis

The quality of data collection and the precision of utilized equipment stand as pivotal elements within research. A comprehensive discussion on this facet proves integral to any analytical endeavor, given the necessity of an in-depth understanding of foundational facts for successful analysis. The endeavor to maintain research focus throughout demands the acquisition of facts and information from diverse sources.⁸⁹

Primary data, acquired directly from sources without intermediary involvement, offers authenticity but raises privacy concerns due to its targeted nature and subsequent availability to a wide audience. Conversely, while secondary data may lack the specificity of primary data, it often provides broader accessibility. The authenticity, purposefulness, and credibility inherent in primary data arise from its alignment with specific research inquiries, albeit obtaining primary data is often cost-prohibitive. Research endeavors concerning products, target markets, and competitive landscapes predominantly rely on primary sources gathered through direct client interactions. Primary data sources span independent researchers, private institutions, and government-backed entities, while secondary data comprises previously collected and publicly accessible information.⁹⁰

⁸⁸ Aric Rindfleisch et al., “Cross-Sectional versus Longitudinal Survey Research: Concepts, Findings, and Guidelines,” *Journal of Marketing Research* 45, no. 3 (June 1, 2008): 261–79, <https://doi.org/10.1509/jmkr.45.3.261>.

⁸⁹ Jayanta Nayak, *Fundamentals of Research Methodology: Problems and Prospects*, 1st ed. (New Delhi, India: SSDN Publishers & Distributors, 2015), https://www.researchgate.net/publication/309732183_Fundamentals_of_Research_Methodology_Problems_and_Prospects.

⁹⁰ Michelle O’ Reilly and Nikki Kiyimba, “Seven: Primary and Secondary Data Analysis,” in *Advanced Qualitative Research: A Guide to Using Theory* (Los Angeles: SAGE Publications, Inc., 2015).

Secondary data, routinely available online, caters to researchers and the general public. It serves as a reservoir of pre-existing information, in contrast to primary data collected expressly for a particular investigation.⁹¹ Secondary data encompasses a wide array of sources, from consumer surveys to government-published statistics, suitable for referencing in academic literature reviews or theses. This category differs fundamentally from primary data, which directly stems from the original source and is made available for wider use.⁹²

This research employed the use of primary data gathered from semi-structured interviews with key stakeholders, statutes, treaties and international legal documents. This was done to triangulate the data from the interview sources along with legal and academic documents. The interview guides were drafted with supervisory guidance so its validity and reliability can be ensured throughout the research process. The interview guides are attached as Appendix A.

The researcher used Braun and Clarke's thematic analysis to extract information from the interview. Braun and Clarke's thematic analysis stands as a comprehensive qualitative method employed to explore, interpret, and report patterns or themes within qualitative data. This approach involves immersing oneself in the data to become intimately familiar with its content, subsequently generating initial codes to label and highlight significant segments. From these codes, researchers aim to discern connections and groupings that lead to the emergence of potential themes. These themes are refined through an iterative process, ensuring their coherence, relevance, and alignment with the dataset. Each theme is precisely defined, described, and named to accurately capture the essence of the underlying data. Ultimately, the analysis culminates in a comprehensive narrative report that presents these themes alongside supporting evidence, often illustrated through pertinent quotes or excerpts. Braun and Clarke's approach is valued for its flexibility, offering researchers a structured yet adaptable framework to systematically delve into qualitative data, revealing profound patterns and insights without prescribing a rigid theoretical stance. This approach underscores rigor and transparency in qualitative analysis, making it a widely embraced tool across various research disciplines and contexts. Some of studies in which

⁹¹ Bryman, *Social Research Methods*.

⁹² Ibid.

this approach has been used include “U.S. Foreign Policy Towards Iranian Nuclear Threat from Bill Clinton to Donald Trump Administration” by Perwita and Razak ⁹³, “What makes a Serious Country? The Status of Brazil’s Seriousness from the Perspective of Great Powers” by Buarque ⁹⁴, “Women Defining Terrorism: Ethnonationalist, State, and Machista Terrorism” by Ortvals and Poloni-Staudinger ⁹⁵ along with “The Diversification Discourse of Russia and its Energy Relations with the EU” by Tichý.⁹⁶ The interview transcripts were transcribed with the help of Open AI Whisper software and coded with the help of open source software called Taguette. ⁹⁷

3.5 Research Ethics

Throughout the research process, ethical considerations, including informed consent, confidentiality, and respect for the participants' rights and well-being, was carefully adhered to. The relevant consent forms employed are attached in Appendix A along with the interview guides. Guidelines and protocols were followed to ensure the ethical conduct of the study and the protection of the participants' privacy and dignity. ⁹⁸

⁹³ Anak Agung Banyu Perwita and Muhammad Ilham Razak, “U.S. Foreign Policy Towards Iranian Nuclear Threat from Bill Clinton to Donald Trump Administration,” *Insignia: Journal of International Relations* 7, no. 1 (April 2, 2020): 17–44, <https://doi.org/10.20884/1.ins.2020.7.1.2224>.

⁹⁴ Daniel Buarque, “What Makes a Serious Country? The Status of Brazil’s Seriousness from the Perspective of Great Powers,” *Place Branding and Public Diplomacy* 19, no. 3 (September 1, 2023): 359–70, <https://doi.org/10.1057/s41254-022-00290-2>.

⁹⁵ Candice D. Ortvals and Lori Poloni-Staudinger, “Women Defining Terrorism: Ethnonationalist, State, and Machista Terrorism,” *Critical Studies on Terrorism* 7, no. 3 (September 2, 2014): 336–56, <https://doi.org/10.1080/17539153.2014.956014>.

⁹⁶ Lukáš Tichý, “The Diversification Discourse of Russia and Its Energy Relations with the EU,” *Asia Europe Journal* 17, no. 2 (June 1, 2019): 179–93, <https://doi.org/10.1007/s10308-018-0518-5>.

⁹⁷ Michelle E Kiger and Lara Varpio, “Thematic Analysis of Qualitative Data: AMEE Guide No. 131,” *Medical Teacher* 42, no. 8 (2020): 846–54, <https://doi.org/10.1080/0142159X.2020.1755030>.

⁹⁸ Colette Mazzucelli, James Felton Keith, and C. Ann Hollifield, eds., *The Ethics of Personal Data Collection in International Relations*, 1st ed., Anthem Ethics of Personal Data Collection (Anthem Press, 2022), <https://anthempublishing.com/the-ethics-of-personal-data-collection-in-international-relations-inclusionism-in-the-time-of-covid-19-pdf>.

CHAPTER 4

FINDINGS AND ANALYSIS

4.1 Introduction

The initial section of this chapter will elucidate the demographic characteristics of the study's selected sample. Subsequently, Table 4.2 and Figure 4.1 will be presented, visually encapsulating the primary thematic divisions that will structure the current chapter.

4.2 Demographic Analysis

Within the sample size of 20 interviewees, a balanced distribution was maintained with 10 individuals classified as legal experts or scholars and an equivalent number of activists representing minority communities. These participants were assigned numerical identifiers corresponding to their interview sequence to ensure confidentiality. Out of an initial pool of 54 potential participants identified for inclusion in the study, a final cohort of 20 individuals was selected. This selection was based on the availability of participants who responded earlier, reflecting pragmatic considerations in the study's recruitment process. A significant portion of the identified candidates remained unresponsive to the invitations for participation. Furthermore, a subset of 5 initially committed participants later withdrew from the interviews, citing reasons such as demanding schedules and 1 participant discontinued midway through the interview process. The incomplete interview has not been included in the dataset. The interviews were conducted from October 2023 to November 2023. Notably, the recruitment process encountered more challenges in securing the participation of activists compared to legal experts. Interview durations ranged from 15 minutes to 1 hour. The complete breakdown of the demographic characteristics of the participants is illustrated in Table 4.1.

4.2.1 Legal Experts

The gender distribution within the sample indicated a composition of 40% female respondents and 60% male respondents, revealing an absence of representation from intersex or transgender individuals. All but 2 participants identified themselves as adherents of the Islamic faith. Educational qualifications within the sample were distributed as follows: 20% held educational achievements up to the level of a graduate degree, while the remaining 80% possessed doctorate degrees. Noteworthy, legal experts showcased a spectrum of experience spanning from 7 to 22 years. Geographically, 7 of the participants resided in Pakistan, with 1

in the United Kingdom, 1 in the United States of America, and an additional 1 in the Kingdom of Saudi Arabia. In terms of interview formats, 2 interviews were conducted in-person upon the request of participants, while the remaining were conducted remotely via Zoom.

4.2.2 Activists from Minority Communities

The gender distribution within the sample revealed a composition of 40% female respondents and 60% male respondents, with an absence of representation from intersex or transgender individuals. Participants hailed from diverse religious backgrounds, including Christians, Hindus, and those affiliated with the Shia sect. Educational qualifications within the sample were distributed as follows: 60% held educational achievements up to the undergraduate level, 30% possessed graduate degrees, and only 10% of participants held doctorate degrees. Activists demonstrated experience levels spanning from 3 to 31 years within their respective fields. Geographically, 9 of the participants resided in Pakistan, with the remaining 1 located in the United States of America. All interviews were conducted via the Zoom platform.

Table 4.1 Demographic Characteristics of the Participants (Table by author)

Sample Characteristics	<i>Legal Scholars</i>		<i>Activists</i>	
	<i>n</i>	<i>%</i>	<i>n</i>	<i>%</i>
Gender				
Men	6	60	6	60
Women	4	40	4	40
Intersex/Transgender	0	0	0	0
Education				
Undergraduate	0	0	6	60
Post-graduate	2	20	3	30
Doctorate	8	80	1	10
Residence				
In Pakistan	7	70	9	90
Overseas	3	30	1	10

Note N=20 (n=10 participants for each condition)

Table No. 4.2 Thematic Table (Table by author)

Rise of Extremism and Challenges to Freedom of Belief: A Critical Analysis of Pakistan’s International Human Rights Commitments							
1. Extremism and Violations of the Freedom of Belief in Pakistan	1.1 Rise of Extremism and Decline of Religious Freedom	1.2 Sources of Extremism: Technological, Political, Historic and Economic	1.3 Discrimination against Minority Communities	1.4 Forced Conversions	1.5 State Initiatives: Striving Towards Addressing Extremism	1.6 Implementation Issues	1.7 Prospects for Freedom of Belief in Pakistan
2. Pakistan’s Obligations under International Human Rights Regime	2.1 Pakistan and International Human Rights Regimes	2.2 Reservations to International Agreements	2.3 Pakistan: A Dualist Jurisdiction	2.4 Pakistan and International Cooperation			
3. Pakistan's International Reputation and Standing	3.1 International Reputation and Standing	3.2 Double Standards of the International Community					

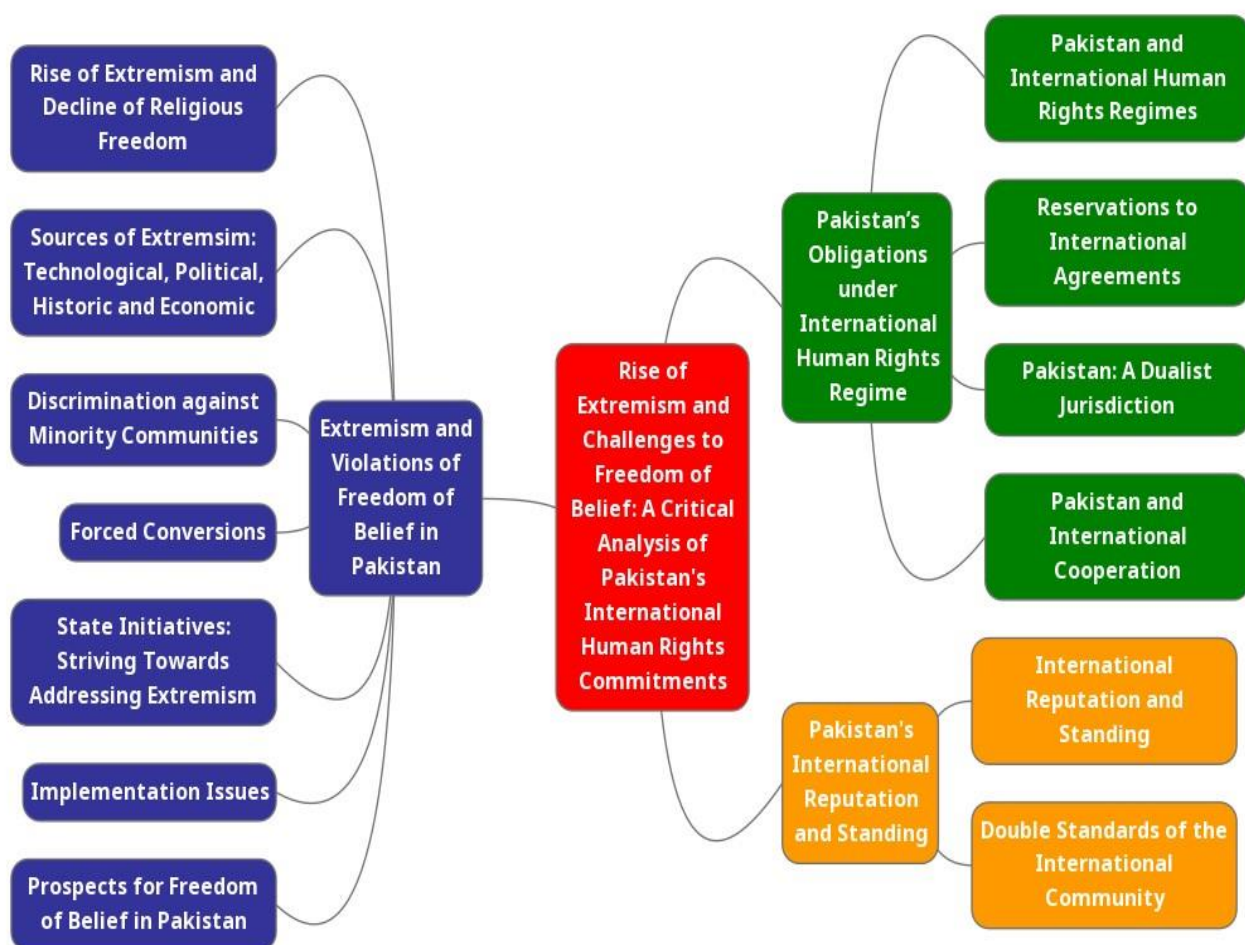


Figure No. 4.1 Thematic Map (Figure by author)

4.3 Extremism and Violations of the Freedom of Belief in Pakistan

Delving into the intricate fabric of Pakistan's societal landscape, this theme embarks on an explorative journey spanning multiple dimensions. The thematic inquiry traverses through a series of interconnected subsections, each an integral facet illuminating the complex interplay between extremism, religious freedom and its attendant variables in the Pakistani context. Commencing with the alarming trajectory in the rise of extremism and decline of religious freedom, the inquiry navigates through the multifaceted spectrum of influences elucidated in the examination of the determinants of extremism. It then delves deeper into the harrowing realities faced by minority communities and scrutinizes governmental endeavors. Unveiling the distressing issue of forced conversions, the findings

deftly maneuvers through the intricate obstructions to executing state policies aligned with minority rights, culminating in an optimistic exploration of the prospects for freedom of belief in Pakistan.

Each subsection serves as a critical narrative thread woven into the fabric of this comprehensive qualitative analysis, seeking to unravel the intricate tapestry of challenges and prospects shaping the landscape of religious freedom and extremism in Pakistan.

4.3.1 Rise of Extremism and Decline of Religious Freedom

Early accounts by the interviewees recall a Pakistan where religious freedom was upheld, with individuals of different faiths coexisting harmoniously. The founders' vision of an inclusive nation, where Hindus, Sikhs, Christians, and Muslims practiced their beliefs freely, contrast starkly with the exclusivity that emerged over time. A sense of unity and cultural diversity once defined Pakistan, but extremist ideologies have eroded this heritage, leading to divisions and intolerance. Activists point out that the Quaid-e-Azam dreamt of a Pakistan in which minorities were free to worship the way they wanted but since then that dream has not been fulfilled. As one activist from a minority community states, *'My parents and my grandparents had left India and built Pakistan with the Quaid-e-Azam on this belief that everyone has the right to practice their own religion but all of a sudden we have become very exclusive.'*⁹⁹

Interviews highlight, a fact which is corroborated by documentary analysis that the historical roots of extremism, external catalysts like geopolitical events including Russia's invasion of Afghanistan, the Cold War and the events of 9/11, along with the internal factors fostering extremist ideologies.¹⁰⁰ The rise of religious extremism, particularly against minority communities, has deep historical roots, with trigger points spanning several decades. According to a legal expert:

If we look at extremist tendencies in Pakistan...it has been there for a long time...And there have been several trigger points that have resulted in the targeting of minority communities in Pakistan, as we can see from the 1950s and 1960s onwards.

⁹⁹ Participant No. 12 Activist in discussion with the author, Zoom, November 2023.

¹⁰⁰ Abbas, *Pakistan's Drift Into Extremism: Allah, the Army and America's War on Terror*.

(Participant No. 5, Legal Expert)

Several interviews point to the infiltration of extremist ideologies, catalyzed by external events such as the invasion of Afghanistan by Russia in the 70s and 80s, the Cold War or the War on Terror initiated after the events of 11 September, 2001. According to an activist from a minority community, *‘Over the years, since the invasion of Afghanistan by Russia I saw a decline in the moral fabric of our society and that is the time I myself left Pakistan...’*¹⁰¹

The documentary analysis demonstrates that there are diminishing platforms available for minority communities, accentuating the emergence of pressure groups that extend their presence beyond public demonstrations to actively engaging within legislative bodies. This trend underscores a notable reduction in the sociopolitical space traditionally allocated to minority groups, potentially altering the dynamics of representation and governance.¹⁰² One interviewee confirmed the rise in extremism stating that extremists are not only taking space in the streets but also in the parliament. This has implications for the functioning of the government and the state, potentially leading to a shift towards an Orwellian state. The presence of extremists poses a threat to the rights and freedoms of minorities. In their words, *‘Extremists are taking space, they're not just taking space in the streets; they're also taking space in the parliament...and we will probably end up as an Orwellian state...’*¹⁰³

4.3.2 Sources of Extremism: Technological, Political, Historic and Economic

This sub-theme discusses the sources of extremism in Pakistan. Participants in the interviews acknowledged that social media plays a significant role in the dissemination of information but also the spread of various extremist ideas. Interviewees mentioned that there has been an emergence of extremist pressure groups due to social media. According to them people now openly express their affiliations and associations with extremist groups. This suggests that social media platforms have provided a space for individuals to form and join

¹⁰¹ Participant No. 15, Activist in discussion with the author, Zoom, November 2023.

¹⁰² Maria Abi-Habib, Shah Meer Baloch, and Zia ur-Rehman, “Violent Extremist or Political Candidate? In Pakistan Election, You Can Be Both,” *The New York Times*, July 17, 2018, sec. World, <https://www.nytimes.com/2018/07/17/world/asia/pakistan-election-extremists.html>.

¹⁰³ Participant No. 1, Legal Expert in discussion with author, Zoom, October, 2023.

groups based on shared interests or beliefs, which is having negative consequences in the context of Pakistan. In their words, *'Nowadays, safeguarding minorities or preventing their discrimination is a difficult task. And that's all; majorly it's because of social media. Because social media has given rise to pressure groups, and people are openly expressing their affiliations and associations.'*¹⁰⁴

The interviewees mentioned the importance of gaining votes in the political landscape of Pakistan. While not extensively discussed, this sub-theme suggests that political decisions and actions are often driven by the desire to secure votes and maintain political power. This sub-theme highlights the influence of electoral politics on decision-making processes and the potential implications for policy outcomes.

Another topic that emerged from the interviews was the historical roots of social discrimination in Pakistan. The interviewee highlights the concept of superiority that has deep roots in society, dating back to the arrival of the Aryans and the subsequent marginalization of the Dravidians. This historical narrative has evolved negatively, leading to the perception of certain groups as inferior and the belief in the right to rule over them. This theme underscores the long-standing nature of social discrimination in Pakistan. In the words of one activist from a minority community:

...outcasting... [is] embedded in our culture...it goes back to when the Aryans came in. You know, the Aryans came in, they were fair in color, and the local people here were the Dravidians...So, we created our narrative that we are fair and we have the right to remain here. What's in our minds, when we see a Christian, we say they are inferior...It's not just about the state's actions; this has been there for a long time.

(Participant No. 19, Activist)

One of the motifs that emerged from the analysis is the significance of economic determinants in the rise of extremist groups. Quoting the most prominent example of this phenomenon one of the interviewees stated how the rise of Sipah-e-Sahaba (SSP) and

¹⁰⁴ Participant No. 17, Activist in discussion with author, Zoom, November 2023.

Lashkar-e-Jhangvi (LeJ) in the Jhang district can be attributed to economic factors. According to the opinion of an activist from a minority community:

...if we take the Jhang district, the rise of Sipah-e-Sahaba (SSP), specifically Lashkar-e-Jhangvi (LeJ), we can see how it started with economic and political backgrounds...In the Jhang district, there were Sunni peasants who were in the majority, and Shia landlords who were in the minority...But after the land reforms in the 1970s and many people going to the UAE or the Gulf for work and sending back remittances, it led to the rise of a Sunni middle class in the Jhang district. After that, what happened was that Sipah-e-Sahaba began to project themselves as the rightful representatives in the name of religion. They exploited the religious name, but also simultaneously the economic and political grievances of the middle class, who were already pressurized. The Shia minority was strong and had economic and political clout. So, what helped Sipah-e-Sahaba was not just religion but also the economic and political situation in that area.

(Participant No. 5, Legal Expert)

One of the interviewees also emphasized the link between poverty and marginalization of the religious minority groups in Pakistan making them more vulnerable to discrimination and violence. They highlighted the economic challenges faced by minorities, such as the Hindu and Christian communities. The interviewee further explained that minorities, including Hindus in Sindh, are at the bottom of the social hierarchy and face poverty and lack of access to education and basic infrastructure. In the judgment of a legal scholar, *‘So poverty, you know, you have to economically empower them...Once they are economically empowered, once they are educated, they know how to protect their rights, and if somebody is violating their rights, they know how to approach the courts.’*¹⁰⁵

4.3.3 Discrimination against Minority Communities

The second element that emerges is the shrinking space for minorities in Pakistan. The interviewee highlights how pressure groups are diminishing opportunities for minorities in areas such as syllabi, narratives, and history. The heroes among these minorities are being

¹⁰⁵ Participant No. 7, Legal Expert in discussion with author, Zoom, October 2023.

overshadowed, and their sacrifices are being forgotten. This is exemplified by the case of a former internationally acclaimed economics adviser to the government who was a member of a minority community and hence removed from his position. As one legal expert points out:

In our lives, in our struggles, in the fights within Pakistan, they [minorities] have a significant role. It's very unfortunate that as a state, we are reducing the space available to them. Ultimately, due to this 'us versus them' mentality...

(Participant No. 1, Legal Expert)

One activist expressed displeasure at the idea of segregated *misaq* desks being established to specifically address the issues of minority communities in police stations after the Jaranwala incident. In their opinion this sort of segregation leads to discrimination in the long run. The establishment of '*misaq*' desks, reminiscent of the '*misaq-e-Madina*' treaty, though intended for addressing Christian concerns, is met with apprehension by minorities. This measure appears to relegate them to a secondary status, resembling the 'separate but equal' premise of the Jim Crow laws prevalent in the United States before the introduction of civil rights for African-American citizens.¹⁰⁶ They also stated how teachers in schools, colleges and universities usually go on tangents about how Christians and other minorities are misguided with no awareness or regard for the sensibility of the feelings of the members of minority community. They also gave the example of loudspeakers being removed from churches due to conflicts caused by intolerance which highlights the challenges faced by religious minorities in practicing their faith freely. Elaborating on the issue they stated, '*In Pakistan, there used to be loudspeakers in churches up to a certain point. Many churches had loudspeakers...They used to do it freely. But now, see in the churches, all the loudspeakers have been removed.*'¹⁰⁷

Divergent perspectives exist concerning the representation of minority communities within the National Assembly. One legal expert stated that separate electoral lists promote

¹⁰⁶ "Punjab Police to Establish Meesaq Centres for Protection of Minorities," *Daily Times*, accessed December 5, 2023, <https://dailytimes.com.pk/1125641/punjab-police-to-establish-meesaq-centres-for-protection-of-minorities/>.

¹⁰⁷ Participant No. 19, Activist in discussion with the author, Zoom, November, 2023.

discrimination against minority communities. In the words of the legal expert expressing disapproval of separate electoral lists, *‘There are several significant obstacles. Firstly, the de facto denial of voting rights...due to separate electoral lists infringes upon their universal right to vote.’*¹⁰⁸

Documentary analysis confirms that the diminishing presence of minority communities across various societal domains is conspicuous. The utilization of separate electoral lists for minorities amplifies the discriminatory practices they encounter, insinuating a distinctiveness that segregates them from the larger Muslim populace.¹⁰⁹ However, another legal expert stated that reserved seats for the minorities ensure their representation in the National Assembly. In their words, *‘That’s why you are aware that there are ten seats reserved for minorities in the parliament. Pakistan has ten MNAs, four seats in [Pakistan’s] Senate for non-Muslims. [Pakistan] has separate, reserved seats in provincial assemblies.’*¹¹⁰

The final topic in this thread was the lack of personal laws for non-Muslim minorities. The absence of personal law courts catering specifically to Christians compels them to navigate their legal matters through civil courts, thereby augmenting the intricacies and challenges within their personal lives.¹¹¹ The interviewees explained that Pakistan has personal laws for Muslims but not for Hindus or Christians. This creates a different legal system for non-Muslims, as they cannot go to family courts and have to rely on civil courts for personal law issues. This leads to delays and inefficiencies in resolving cases related to family matters for non-Muslim minorities. In their own words:

But if a Hindu or a Christian have an issue, they cannot go to family court, because the family court only enforces Muslim personal law, they have to go to a civil court. And that completely changes the legal system for them.

¹⁰⁸ Participant No. 6, Legal Expert in discussion with the author, Zoom, October 2023.

¹⁰⁹ Dr. Ghulam Mustafa, Tooba Ahmed, and Muhammad Arsalan, “Political Participation of Religious Minorities in Pakistan: A Journey from Joint Electorate to Restoration of Joint Electorate,” *Pakistan Journal of International Affairs* 4, no. 3 (2021): 616–27.

¹¹⁰ Participant No. 7, Legal Expert in discussion with the author, Zoom, October, 2023.

¹¹¹ Dr. Ghulam Mustafa, Tooba Ahmed, and Muhammad Arsalan, “An Analysis of Family Laws of Religious Minorities in Pakistan,” *Pakistan Journal of International Affairs* 4, no. 3 (2021): 208–21.

(Participant No. 9, Legal Expert)

4.3.4 Forced Conversions

One of the issues that emerged from these interviews was forced conversion. One activist was insistent that forced conversions were not acceptable in Islam; going on to explain that during the Prophet's (PBUH) time Jews and Christians were allowed to retain their faith. One has to sincerely declare their faith in the oneness of Allah and accepting the Prophet (PBUH) as the final messenger without which no conversion can take place. According to their opinion, *'In Islam, there are no forced conversions... Islam's basic principle is... "La ikraha fid deen"... which means there is no compulsion at all in religion. You cannot forcibly make someone a Muslim.'*¹¹²

Another legal scholar claimed that since most cases of forced conversions involved underage girls therefore the underage marriage of these young girls was a cause of greater concern than their forced conversion. The scholar argued that underage girls at times develop feelings for men older than themselves, marry them and convert willingly. The families of the girls, nonetheless, blow the issue up out of proportion claiming that their daughter has been kidnapped. However, it is important to note that a minor cannot consent to marriage or sexual intercourse and hence these cases should be tried as cases of rape rather than forced conversions since the rape is a more pressing concern for these girls. In their words:

...so the issue is a little bit blown up...we should focus right now on making sure that the girl which is younger than...16 or 18 years old, cannot be married...and we can treat every case of child marriage as a rape case...where the person should go for a very...long time to prison...

(Participant No. 10, Legal Expert)

An activist from a minority community pointed out that in Islam Muslim men are allowed to marry women from Christian or Jewish faiths and therefore there is no need for them to consensually or even be forcibly converted if they wish to marry a Muslim man. This aspect of Islam raises questions about the necessity of conversions of Christian women when Islam itself does not mandate them. Further it was discussed that force is not limited to physical coercion but can also manifest as societal pressure, familial pressure, and undue

¹¹² Participant No. 20, Activist in discussion with the author, Zoom, November 2023.

influence. The interviewee mentioned cases where girls who have been forcibly converted are often abused or abandoned by their new husbands. These consequences shed light on the negative impact of forced conversions on the lives of the individuals involved, particularly the girls who become victims of this practice. In their words, ‘...*Islam allows Muslim men to marry women from other religions...When Islam says that a Muslim man can marry a Christian girl without her changing her religion, then why is there a need for her to convert?...*’¹¹³

The lack of evidence and data on forced conversions is a significant element discussed in the interviews. The interviews question the validity of the figures and statistics presented by various sources, suggesting that the actual number of forced conversions may be different from what is reported. The interviews call for a more accurate and comprehensive collection of data to comprehend the true extent of forced conversions in Pakistan. The role of media and reporting is also highlighted as a theme in the interviews. The interviews raise concerns about the credibility of the reports on forced conversions and question the motives behind the reporting. The interviews suggest that the issue of forced conversions may be sensationalized or exaggerated in some cases, leading to a distorted perception of the problem. Expressing their skepticism one of the legal experts said, ‘*As for forced conversions in Pakistan, it's not as important as obtaining data on forced conversions...I'm sure there might be some issues, but the figures that have been quoted, it's practically not possible.*’¹¹⁴

A well-established right-leaning think tank has cast doubt on the credibility of statistics which suggest around 1000 missing girls annually, a figure put forth by certain NGOs.¹¹⁵ In contrast, a Christian advocacy group presented a considerably lower number of 162 girls reportedly subjected to forced conversion between 2013 and 2023. However, the Ministry of Interior intervened by banning this advocacy organization, alleging the dissemination of propaganda in 2022.¹¹⁶

¹¹³ Participant No. 4, Activist in discussion with the author, Zoom, October, 2023.

¹¹⁴ Participant No. 7, Legal Expert in discussion with the author, Zoom, October, 2023.

¹¹⁵ Ghulam Hussain, “Forced Conversions or Faith Conversions: Rhetoric and Reality” (Institute of Policy Studies Islamabad, October 20, 2020).

¹¹⁶ Office of International Religious Freedom, “2022 Report on International Religious Freedom: Pakistan.”

The complexity of the issue is a recurring theme throughout the interviews. The interviews acknowledge that forced conversions involve various factors, including age, consent, marriage, and religious identity. The interviewees emphasize the need for a nuanced approach to address the issue, taking into account the specific circumstances and complexities involved in each case.

As a recommendation interviewees suggested that Pakistan needed to improve its system of birth registrations because most of the time investigators cannot estimate the age of the girls in such cases. Doctors are usually directed by courts to determine the age of the girls and sometimes girls are even subjected to multiple medical checks which is a traumatizing experience for an already beleaguered individual. One legal scholar emphasized, '*Pakistan cannot even sort their issue with providing the IDs... So, what is the whole issue with the forced conversion and the marriages is that we don't really know what's the age...of the girl.*'¹¹⁷

The Prohibition of Forced Conversions Bill (2021) was drafted to protect religious minorities specifically from forced conversions and presented in the National Assembly. This bill was considered socially divisive, un-Islamic, and against *Shariah*, by the Council of Islamic Ideology (CII) and the Ministry of Religious Affairs and Interfaith Harmony hence they intervened to stop it. The bill required a judge's declaration of conversion, set the minimum age for conversion at 18, and required a waiting period before conversion.¹¹⁸

The National Assembly was also presented with the Protection of the Rights of Religious Minorities Bill (2020), which would have increased penalties for kidnapping and forcibly converting young girls, provided shelter and aid to those forced to convert, and invalidated forced marriages between Muslim men and young people of other religions. This proposal was denied in September 2020 by the Senate Standing Committee on Religious Affairs and Interfaith Harmony. Minorities in Pakistan, according to some Committee

¹¹⁷ Participant No. 10, Legal Expert in discussion with author, Zoom, October 2023.

¹¹⁸ Arshad Mehmood, "Pakistan: Bill to Outlaw Forced Conversion Blocked After Fierce Opposition," *The Media Line*, September 27, 2021, <https://themedialine.org/by-region/pakistan-bill-to-outlaw-forced-conversion-blocked-after-fierce-opposition/>.

members, already have sufficient liberties, while minorities in India are given harsher treatment.¹¹⁹

However, the National Assembly passed the Criminal Law (Amendment) Act 2017, which added a stipulation to Section 498 B to strengthen the punitive regime in cases of forced marriage and made the marriage of a minor and non-Muslim woman a crime punishable by at least five years in prison. This was just weeks before Pakistan's GSP+ status review in Brussels.¹²⁰

The Sindh Provincial Assembly's 2016 Criminal Law (Protection of Minorities) Bill prohibited forced conversions (Chapter IV) and conversions before the age of majority (Chapter III). The Jamaat-e-Islami (JI) and Jamiat Ulema-e-Islam Pakistan-Fazl (JUI-F) pressured Governor Saeed-uz-Zaman Siddiqui to not sign and enact this legislation, which he did. This is because certain Islamic authorities are in conflict with the idea of establishing a minimum age for marriage or conversion on the grounds that Islam forbids such acts.¹²¹

In the Punjab Assembly, a similar fate awaited the Punjab Criminal Law (Protection of Minorities) Bill of 2016, and it ended up being unsuccessful. Five years to life in prison was the suggested sentencing range for forced conversion. Additionally, the proposal stated that there would be no compounding of sentences for the offence of conversion. Another clause of the legislation stated that until the age of 18, people could not change their religion.¹²²

4.3.5 State Initiatives: Striving Towards Addressing Extremism

One prominent thread that emerged from the data was the government's efforts to protect freedom of belief. The interviews highlight various positive steps taken by the government, such as the formulation of the National Action Plan (NAP), National Internal

¹¹⁹ "Senate Panel 'Turns down' Bill on Minorities Rights," *The Express Tribune*, February 1, 2021, <https://tribune.com.pk/story/2282277/senate-panel-turns-down-bill-on-minorities-rights>.

¹²⁰ Adan Abid, "Towards Effective Remedies Against Forced Conversions," *Courting The Law*, September 2, 2019, <http://courtingthelaw.com/2019/09/02/commentary/towards-effective-remedies-against-forced-conversions/>.

¹²¹ *Pakistan: Islamists Angry at New Law against Forced Conversions* (France 24, 2017), <https://www.france24.com/en/20170103-focus-pakistan-sindh-law-forced-conversions-islam-hindu-young-women-kidnappings>.

¹²² "Punjab Tables Forced Conversion Bill," *The Express Tribune*, January 23, 2017, sec. News, <https://tribune.com.pk/story/1304735/punjab-tables-forced-conversion-bill>.

Security Policy (NISP) 1 and 2, and Countering Violent Extremism (CVE) guidelines. These policies aim to address hate speech, extremist organizations, and violent extremism.

For example, the NAP includes measures to crackdown on hate speech, ban extremist outfits, and protect minorities. The government's commitment to these initiatives is evident through the creation of campaigns, portals, amendments to the curriculum by the National Curriculum Council and centers of excellence dedicated to countering violent extremism. The interviews highlight the comprehensive approach taken by the government, involving multiple agencies and departments. The efforts include grassroots-level programs, educational interventions, curriculum changes, and collaboration with international organizations. The government aims not only to stop extremist activities but also to counter them effectively. The involvement of various ministries, such as the Ministry of Information and Broadcasting, Ministry of Science and Technology, and Ministry of Interior, demonstrates the multi-faceted approach taken to address this issue. The involvement of various state institutions in protecting freedom of belief is highlighted in the interviews. Institutions such as the Ministry of Religious Affairs and Interfaith Harmony, the National Commission for Minorities, and the judiciary are responsible for upholding religious freedom and minority rights. These institutions work towards promoting interfaith harmony, addressing sectarian violence, and ensuring the implementation of laws and policies related to religious freedom. In the words of one legal expert:

Similarly, in KP, there's a department called HERA (Higher Education Regulatory Authority). They have established a center of excellence for Countering Violent Extremism, where various researches are being conducted, and they are implementing different programs at the school and university levels.

(Participant No. 1, Legal Expert)

One of the interviewee, a legal expert, discussed the process surrounding blasphemy accusations, emphasizing the stringent nature of handling such claims. They outline the protocol within law enforcement, highlighting that a mere accusation doesn't lead to immediate action. The procedure involves multiple layers of authorization, indicating a hierarchical process where higher authorities must validate the legitimacy of the accusation

before an FIR (First Information Report) can be filed. This structure intends to prevent frivolous or false allegations, implying a system where legal and administrative safeguards are intertwined to ensure thorough scrutiny before legal proceedings commence. The blasphemy FIR cannot be register simply by the Station House Officer (SHO). In their words, *'The SHO can't do anything until their City Police Officer (CPO) or District Police Officer (DPO) is informed, and until the DPO is satisfied that the FIR the SHO is writing is genuine.'*¹²³

4.3.6 Implementation Issues

One prominent thread that emerges from the data is the challenge of policy implementation. Participants consistently highlight that while policies and laws exist to defend the rights of religious minorities, the problem lies in their implementation. They argue that the existing legal framework provides for religious freedom and minority rights, but the enforcement mechanism is weak. The lack of implementation is attributed to various factors, including a weak enforcement mechanism, limited resources, and a lack of political will. Their contention revolves around prioritizing the implementation of extant policies as opposed to the formulation of novel ones.

One interviewee argued that there is budget allocation for military operations but not for public policy initiatives. Other than that, all the points highlighted in the NAP and NISP regarding social, political, and cultural levels of implementation, such as reforms like *madrassa* reforms, educational reforms, police reforms, regulation of loudspeakers and sermons in mosques, none of these identified points have been implemented. Based on the analysis of a legal specialist, *'...However, when it comes to implementation, the budget allocation, resource allocation, and the will to implement these policies only exist when it comes to military operations and the resources required for them.'*¹²⁴

The challenges in implementing state policies was another topic that emerged. Participants discussed the frequent changes in government machinery and administrative staff, which hinder the enforcement of policies. They argue that time and continuity are necessary for a particular group or set of people to enforce a policy effectively. They

¹²³ Participant No. 3, Legal Expert in discussion with author, Phone Call, October, 2023.

¹²⁴ Participant No. 5, Legal Expert in discussion with the author, Zoom, October, 2023.

highlight the disconnect between policymakers and the understanding of the policies they adopt, leading to difficulties in enforcement. According to one legal expert:

...the frequent changes in the government...machinery is not helping. You have to give time to a particular group or set of people who adopts a policy. And then you have to give time to them to enforce that policy because they understand what they have...been working on.

(Participant No. 9, Legal Expert)

Another theme that emerges is the recognition that change takes time. Participants acknowledge that policies and reforms cannot bring immediate results and that it will take years for their effects to be visible. They argue that the implementation of policies and the achievement of desired outcomes require a gradual process that may span decades. This theme highlights the need for patience and a long-term perspective in addressing the challenges to policy efficacy. Participants also argued that publicity for the improvements being made wasn't widespread despite the fact that FIRs were being filed, significant action was being taken against hate speech in the form of people's social media accounts being shut down. In the view of a legal analyst, '*FIRs are being filed; previously, this wasn't happening. There's significant action against hate speech. People's accounts are being shut down [on social media]...its effects will probably be visible after 10 years.*'¹²⁵

4.3.7 Prospects for Freedom of Belief in Pakistan

One thread that emerges is the role of political will and societal change in adopting progressive laws and policies. Participants acknowledge that changes are possible, but the process is complex and may face resistance. They emphasize the need for advocacy to ensure religious freedom and equal citizenship for all. However, they also note that the balance of power and leadership within the state and religious organizations is unlikely to shift, hindering significant changes in the near future. According to one legal scholar, '*The prospects for adopting progressive laws/policies depend on various factors, such as political will and societal change...*'¹²⁶

¹²⁵ Participant No. 1, Legal Expert in discussion with the author, October, 2023.

¹²⁶ Participant No. 6, Legal Expert in discussion with the author, October, 2023.

The absence of a human rights-friendly approach by the state is another prominent issue. Participants expressed apprehensions about the abuses of various human rights, including religious freedom, and the overall state approach to enforcing human rights. They compared the situation in Pakistan to the evolution of human rights norms in Western states, highlighting the long process of acceptance within society, changes in laws, and the protection and enforcement of rights. They argue that unless there is a genuine acceptance and understanding of human rights within the state and society, positive changes in laws and societal behavior are unlikely to occur. The importance of public awareness and understanding is also highlighted. Participants note that people in Pakistan need to realize the importance of certain rights, such as freedom of religion, expression, and association, in order to advocate for them effectively. They emphasize the need for a profounder understanding of rights and their importance in order to bring about meaningful change. Interviews and documentary analysis both validate the fact that the successful amendment of the Hudood Ordinance, 1979 in 2006 through the Women Protection Act followed a protracted media campaign, involving Islamic scholars to sway public opinion towards reform. Similar concerted efforts are necessary to address the blasphemy law. Without widespread societal acceptance and endorsement for altering these stringent laws, any progress in this regard seems unattainable.¹²⁷ As per one legal authority, ‘...unless, and until we as a state, as a nation accept human rights and understand what human rights are nothing...will happen. Nothing positive will happen.’¹²⁸

The interviews highlight the challenges faced in upholding the ideals of religious freedom in Pakistan. The evolution of extremism, distortion of religious teachings, and societal shifts have created a complex scenario. However, glimpses of hope are visible, especially in the judiciary's potential to champion fundamental rights. The prospects for change lie in the hands of leaders, both political and judicial, who can steer the nation back towards its founding principles of religious harmony and inclusivity. One legal expert stated that Justice Qazi Faiz Isa might actually have an approach to fundamental rights that is not strictly articulated through his own *sou moto* powers, but with reference to a broader and

¹²⁷ Azra Qadir, “A Critical Analysis Of Women Protection Act 2006,” *PalArch’s Journal of Archaeology of Egypt / Egyptology* 18, no. 10 (September 25, 2021): 1742–49.

¹²⁸ Participant No. 13, Legal Expert in discussion with the author, Zoom, November 2023.

deeper and older understanding of fundamental rights and protections for religious freedom. Documentary analysis verified that certain experts express optimism regarding the potential impact of Justice Qazi Faiz Isa on this matter.¹²⁹ In the eyes of one legal expert, *‘I think Qazi Faiz Isa has kind of a record of taking fundamental rights seriously and even sort of articulating the ways in which the state should be a defender of those rights...’*¹³⁰

While top-down initiatives wield influence within societies, substantial transformation typically originates from grassroots movements, underscoring the significance of bottom-up change for enduring societal shifts.

4.4 Pakistan’s Obligations under International Human Rights Regime

This theme highlights several key concepts related to international treaties and agreements in Pakistan. The themes mentioned in this section include the ratification of human rights conventions, reservations and limitations on international obligations, the relationship between international and domestic law, the role of religion in shaping Pakistan's approach to human rights, the lack of a binding instrument specifically addressing religious freedom, the interdependence of human rights and the international cooperation Pakistan is willing to undertake despite it not being bound by international obligations.

4.4.1 Pakistan and International Human Rights Regimes

The first issue that emerges from the data is the ratification of human rights conventions by Pakistan. It is mentioned in multiple interviews that Pakistan has ratified several core human rights conventions, including the UDHR, ICCPR along with other conventions like Convention against Torture (CAT), the CRC, and the Convention on the Elimination of All Forms of Discrimination etc. This theme highlights Pakistan's engagement with international human rights norms and its commitment to certain aspects of human rights protection. In the words of one legal scholar:

Obviously, there are many instruments that address freedom of belief, whether it's the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the

¹²⁹ “Justice Qazi Faez Isa — Pakistan’s Judicial Maverick - Pakistan,” *Dawn*, accessed December 5, 2023, <https://www.dawn.com/news/1776069>.

¹³⁰ Participant No. 8, Legal Expert in discussion with author, October, 2023.

International Covenant on Economic, Social and Cultural Rights, or the Elimination of all Forms of Intolerance and Discrimination which Pakistan has signed.

(Participant No. 9, Legal Expert)

The second issue that emerges is the role of religion in shaping the Pakistan state's attitude to human rights. It is mentioned in one interview that Pakistan consistently objects to principles that go against its state religion and that all laws in Pakistan are required to be in accordance with Islam. This theme highlights the influence of religious values and the constitutional requirement to implement laws that align with Islamic principles. It also raises questions about the tension between religious freedom and other human rights. One of the legal experts was adamant about mentioning Pakistan's status as a persistent objector to articles in the ICCPR which provide for freedom of religion and belief stating that, '*However, within international law, the ideals that exist, to be honest, Pakistan persistently objects to those principles. Pakistan is a persistent objector to the principle that you cannot force us to accept things that go against our basic faith.*'¹³¹

The third issue that emerges is the lack of an obligatory legal instrument specifically addressing religious freedom. It is mentioned in one interview that there is no legal instrument that guarantees the freedom of religion and protects religious minorities. While there are international conventions that address discrimination and intolerance based on religion, there is no single binding instrument dedicated to religious freedom. This thread highlights the need for a comprehensive and binding international instrument to protect religious freedom. As per a legal authority:

...it's so controversial, it's so sensitive that still now, till this moment we don't have any binding document which is dedicated to this issue...I mean of course we have...different international covenants where there should be no discrimination based on the religion for example, but we don't have a one binding instrument which...protects the religious freedom.

(Participant No. 10, Legal Expert)

¹³¹ Participant No. 7, Legal Expert in discussion with author, October, 2023.

The final issue that emerges is the interdependence of human rights. It is mentioned in one interview that human rights are interrelated and interdependent, and there is no hierarchy among them. This thread emphasizes the interconnectedness of different human rights and the importance of upholding all rights equally. One of the interviewee insisted that this means Pakistan need not give special attention to the right of freedom of belief because it is just as important as other rights and hence cannot be given preference over them. The interviewee also pointed out that if Pakistan was unable to give due protection to its Muslim citizens it would not be able to provide protection to its non-Muslim citizens either. In the legal expert's opinion, '*...there is no hierarchy of human rights...The human rights are we saying that they are interrelated, interdependent...and why we are saying that they are interrelated, interdependent it means that there is no hierarchy...*'¹³²

4.4.2 Reservations to International Agreements

This thread raises questions about the extent to which Pakistan is fully committed to upholding its international obligations and the potential impact of reservations on the protection of human rights. As one legal authority states in reference to the UDHR and ICCPR:

That's why the biggest question often asked is whether the declaration is binding. Obviously, it is part of customary international law, but otherwise, it is not binding. However, when it comes to the ICCPR, for instance, Pakistan has placed reservations on it...

(Participant No. 13, Legal Expert)

Paralleling this thought another legal authority argued that Pakistan cannot be in violation to right of freedom of religion and belief if it never accepted the obligations in the first place, '*The point is that Pakistan has never accepted those obligations...So it's not accurate to say that Pakistan is not fulfilling its international obligations.*'¹³³

The interviewees also discussed the debate surrounding the validity of reservations. Pakistan has made reservations to the ICCPR stating that the Covenant will be applied

¹³² Participant No. 10, Legal Expert in discussion with author, October, 2023.

¹³³ Participant No. 7, Legal Expert in discussion with author, October, 2023.

according to the limits of the Pakistani Constitution and *Shariah*. The Vienna Convention on the Law of Treaties (VCLT), 1969 which Pakistan has signed, states that reservations against the object and purpose of a treaty are not valid. However, there is disagreement on whether the reservations made by Pakistan go beyond the object and purpose of the ICCPR. One legal expert stated that ICCPR has 20 plus articles and Pakistan has ratified them all but it is bound by Article 227 of the Constitution to make all its laws in line with Islam and hence Pakistan has to place reservations on such articles which go against the spirit of Islam. They went further to state that the reservations Pakistan has instated against Article 18 of the ICCPR do not go against the spirit of the Covenant and are hence valid:

However, while giving reservations it should be kept in mind that the crux of the treaty is not antagonized or that the spirit of the treaty is not undermined...However, I believe that the reservations do not affect the spirit of the Covenant or undermine its objective or essence.

(Participant No. 3, Legal Expert)

Opposing this viewpoint a majority of legal scholars said that the reservations placed on the Covenant went against the spirit of the Covenant and were hence invalid according to the provisions of the VCLT which Pakistan has signed and ratified along with many other countries. In the words of one legal scholar, *'My humble opinion is that yes, the reservation goes beyond the object and purpose of the treaty. Why? Because it's a very broad reservation.'*¹³⁴

Affirming this thought another legal scholar referred to the *Belilos case* decided by the European Court of Human Rights (ECHR) in 1988. They mentioned that according to the jurisprudence of various courts and tribunals reservations have to be in compliance with the objects and purposes of a treaty. The interviewee also underscored that the precedent emphasizing the potential pitfalls associated with reservations expressed in vague or excessively general terms. In the words of the scholar:

And based on the European courts jurisprudence, at least, specifically when we talk of Belilos versus Switzerland, it was made very clear that

¹³⁴ Participant No. 9, Legal Expert in discussion with the author, October 2023.

reservations, if couched in vague terms or too general in nature, that it becomes difficult to determine what their scope actually is, then those reservations should not be allowed either...I believe that the reservations entered into by Pakistan or for that matter by any Muslim country seem to be very general.

(Participant No. 11, Legal Expert)

The issue that emerges is the fact that the UDHR is not binding on Pakistan despite being customary international law and that there is a presence of reservations on Pakistan's international obligations. According to Article 2 (1) (d) of the VCLT reservations refer to the right of a state to maintain certain exceptions or limitations when signing or ratifying a treaty or convention.¹³⁵ Reservations are also similarly defined by the 2011 International Law Commission Guide to Practice on Reservations to Treaties.¹³⁶ The principle of sovereignty, which is central to the nation-state system, grants states the authority to make reservations. The importance of reservations being in compliance with the objectives and purposes of a treaty is also an important aspect of this issue. According to Article 19 (c) of the VCLT reservations should not undermine the essence or spirit of the agreement.¹³⁷ This criterion also comes from the advisory opinion delivered by the International Court of Justice (ICJ) in 1951 concerning the Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide. Nevertheless, the assessment of a reservation's validity or its alignment with the objectives and intentions of a treaty or convention lies within the jurisdiction of a court or tribunal possessing the necessary competence or authority to make such determinations authoritatively. Such a court may also determine the consequences of such findings.¹³⁸ Typically, the framework for evaluating the compatibility of a reservation

¹³⁵ “Vienna Convention on the Law of Treaties” (1969), https://treaties.un.org/pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XXIII-1&chapter=23&Temp=mtdsg3&clang=_en.

¹³⁶ 10. *International Law Course. Sources: Law of Treaties (6) Reservations to Treaties*, International Law by EDR, 2020, <https://www.youtube.com/watch?v=mAs5UdTNe7w>.

¹³⁷ Vienna Convention on the Law of Treaties.

¹³⁸ 34 *Reservations: Permissibility*, International Law MOOC, 2017, <https://www.youtube.com/watch?v=L702WU7Er74>.

with the Convention is outlined within the Convention itself. Incompatibility with the object and purpose of treaty can relate either to substantive provisions of the treaty or to the nature and spirit of the treaty.¹³⁹ Additionally, reservations need to be specific and clearly define what is being reserved or excluded from the treaty's jurisdiction. It is mentioned in multiple interviews that Pakistan has placed reservations on the ICCPR, specifically in Article 18 which addresses freedom of religion and belief. There was also the mention of the fact that Pakistan has not ratified the Optional Protocol of the ICCPR which gives citizens the right of individual complaints.

The broad nature of the reservations, particularly in relation to the application of *Shariah* law, is seen as open to various interpretations. The reservations are described as very general, lacking specificity in terms of what they seek to exclude from being operable within Pakistan's jurisdiction. It should also be noted that these very arguments were raised by 25 countries at the time of ratification of the ICCPR by Pakistan. These countries included Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Norway, Poland, Portugal, Slovakia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay.¹⁴⁰

In the case *Belilos vs. Switzerland*, the court decided that the interpretative declaration made by Switzerland about Article 6 of the European Convention on Human Rights which was about the right to fair trial was actually a reservation and that it was incompatible with the object and purpose of the Convention.¹⁴¹ The court decided to set aside the reservation and maintained that Switzerland remained bound by the European Convention in its entirety including Article 6. A similar decision was reached in the *Loizidou vs. Turkey* case in 1995.¹⁴² Human rights bodies usually follow this approach due to the

¹³⁹ *Ratification & Reservation of Treaty | Public International Law*, Law Made Simple, 2023, https://www.youtube.com/watch?v=kmkw-Zg9s_4.

¹⁴⁰ “Reservations, Declarations, Objections and Derogations - CCPR - Pakistan,” March 6, 2012, http://www.bayefsky.com/html/pakistan_t2_ccpr.php.

¹⁴¹ Sarah Hélaoui, “Cultural Relativism and Reservations to Human Rights Treaties: The Legal Effects of the Saudi Reservation to CEDAW” (Master’s Thesis, University of Lund, 2004).

¹⁴² Roslyn Moloney, “Incompatible Reservations to Human Rights Treaties: Severability and the Problem of State Consent,” *Melbourne Journal of International Law* 5, no. 1 (2004): 155–68.

nature of rights at stake.¹⁴³ This stance was determined by the UN HRC in its General Comment No. 24 in 1994.¹⁴⁴

It is imperative to note that the rulings of the ECHR do not possess binding authority upon Pakistan. In the case of the ICCPR, the States refused to give the HRC the right to adjudicate such an issue.¹⁴⁵

Furthermore, while the VCLT expressly prohibits reservations that contravene the fundamental objectives and aims of a treaty, it lacks adequate mechanisms for remediation. Central to the VCLT is its reaction-based system, which typically operates on the principle of reciprocity, wherein parties to a treaty reciprocally assume rights and obligations. However, the efficacy of this reaction-based system encounters limitations when applied to treaties characterized by nonreciprocal obligations and designed to enhance the rights of individual citizens. Nonreciprocal obligations, in the context of treaties, denote a scenario where one party assumes commitments or duties without a corresponding reciprocal commitment from the other party. Such asymmetry is often a hallmark of treaties aimed at safeguarding and advancing the rights of individual citizens. Human rights treaties, for instance, commonly feature provisions obligating states parties to take affirmative actions to protect and promote the rights of individuals within their jurisdiction, without necessarily expecting analogous concessions from other states. Consequently, the absence of recourse in the instance of non-reciprocal obligations results in the persistence of reservations deemed invalid which remain in force. This suggests that the reservations asserted by Pakistan retain their full legal effectuality.¹⁴⁶

The 2011 Guide to Practice on Reservations to Treaties (Guide to Practice) issued by the International Law Commission sought to address a legal loophole through the

¹⁴³ Johanna Fournier, “Reservations and the Effective Protection of Human Rights,” *Goettingen Journal of International Law* 2, no. 2 (2010): 437–62, <https://doi.org/10.3249/1868-1581-2-2-Fournier>.

¹⁴⁴ United Nations High Commissioner for Refugees, “CCPR General Comment No. 24: Issues Relating to Reservations Made upon Ratification or Accession to the Covenant or the Optional Protocols Thereto, or in Relation to Declarations under Article 41 of the Covenant,” Refworld, accessed December 15, 2023, <https://www.refworld.org/docid/453883fc11.html>.

¹⁴⁵ Valentina De Giorgia, “A Critical Analysis of Shariah-Based Reservations to Human Rights Treaties” (Master’s Thesis, Rome, Italy, Luiss Guido Carli University, 2022), https://tesi.luiss.it/34456/1/143223_DE%20GIORGIO_VALENTINA.pdf.

¹⁴⁶ *Ibid.*

affirmation of the severability doctrine. This doctrine upheld in the guide, posits that reservations to treaties ought to be severed and rendered ineffective, thereby obligating the signatory state to fully adhere to the treaty provision without the reserved modification. This stance contradicts the principle of State consent, which safeguards states from being bound by any treaty or its provisions they choose not to accept. Notably, the severability doctrine was specifically recommended for application to human rights treaties. However, it is imperative to note that the Guide lacks binding authority, thereby rendering the doctrine legally nonbinding, despite scholarly predictions suggesting a potential shift in State practice in the forthcoming years.¹⁴⁷

4.4.3 Pakistan: A Dualist Jurisdiction

There is also the matter of Pakistan being a dualist state which is not bound by its international law obligations until it implements them in the form of domestic legislation.¹⁴⁸ The thread that emerges is the requirement for domestic legislation in Pakistan. It is highlighted that in order for international treaties or conventions to be applicable in Pakistan's jurisdiction, the Parliament must enact them into the domestic legislative framework. This is in contrast to monist jurisdictions in Scandinavian countries where international laws are directly implemented into domestic law. One of the interviewees explains that until a law is made in Pakistan, it will not be implemented, emphasizing the dualistic nature of the state. The absence of direct implementation of international law is a significant thread. The interviewees emphasized that Pakistan is a dualist state, meaning that international laws do not directly apply in Pakistan's legal system. Another interviewee clarifies that Pakistan requires legislations to enforce the ICCPR in its territory. This thread highlights the distinction between dualist and monist states and the need for domestic laws to give effect to international obligations. In the words of one interviewee, *'In Pakistan the Parliament has to enact the law into the domestic legislative framework unless Pakistan*

¹⁴⁷ Kasey L. Mccall-Smith, "Severing Reservations," *The International and Comparative Law Quarterly* 63, no. 3 (July 2014): 599–634.

¹⁴⁸ Niaz A. Shah, "The Application of Human Rights Treaties in Dualist Muslim States: The Practice of Pakistan," *Human Rights Quarterly* 44, no. 2 (2022): 257–85.

enacts domestic legislation through the parliament the international treaty or convention that Pakistan has ratified is not applicable in its jurisdiction.' ¹⁴⁹

4.4.4 Pakistan and International Cooperation

One of the threads that emerged from the interviews conducted was that Pakistan relies on international organizations for assistance. One of the interviewee acknowledged that the policies developed by the Pakistani government have not been developed solely by the government but with the help of international organizations. This reliance on external support suggests recognition of the expertise and resources that international organizations can provide. This reliance on international organizations demonstrates the importance of collaboration and cooperation in addressing complex issues.

Another thread that emerges is the sense of obligation to participate in international efforts. The interviewees mentioned that being part of the international community comes with an obligation to engage in certain activities. Although they clarify that it is not a strict obligation, they emphasize that it is expected of states. This theme highlights the perceived responsibility to contribute to global initiatives and suggests recognition of the interconnectedness of nations in addressing common challenges. The interviewee mentioned that one of the reasons for making certain policies is to preserve a respectable image in the international community. They specifically refer to the CVE policy, stating that it is an international obligation. This suggests that the interviewee recognizes the importance of reputation and perception in international relations. ¹⁵⁰

Another one of the interviewees mentioned that Pakistan works closely with the Human Rights Council and the Office of the High Commission of Human Rights on minority rights issues. This collaboration indicates an assurance to address human rights concerns in partnership with international organizations. By working closely with these entities, Pakistan demonstrates a willingness to engage in international cooperation to protect and promote human rights. ¹⁵¹

¹⁴⁹ Participant No. 3, Legal Expert in discussion with the author, Phone Call, October, 2023.

¹⁵⁰ Participant No. 1, Legal Expert in discussion with author, Zoom, October, 2023.

¹⁵¹ Participant No. 3, Legal Expert in discussion with the author, Phone Call, October, 2023.

4.5 Pakistan's International Reputation and Standing

This theme highlights the impact of Pakistan's religious freedom violations on its international reputation. Interviews underscored how these violations affect Pakistan's relations with other nations, including incidents like the lynching of a Sri Lankan manager, impacting its standing as a peaceful nation. The discussion emphasizes the role of minorities in shaping international perception and the government's efforts to manage these situations for credibility. Discrepancies between reported and actual incidents, the influence of international pressure on Pakistan's actions, and the complexity of foreign policy and power dynamics were also explored. The findings reveal how these violations affect Pakistan's economic and diplomatic relations, particularly in discussions around its GSP+ status and international religious freedom reports. Additionally, it highlights contrasting perspectives on Pakistan's record regarding minority rights, touching upon global politics, biases in international standards, and comparisons with other countries like India and China.

4.5.1 International Reputation and Standing

One thread that emerged from the interviews was the impact that the repeated violations of freedom of religion and belief have on Pakistan's international reputation. The interviews highlighted that the issue of limited freedom of religion and belief within the country remains a concern. This factor is considered during risk assessments conducted by organizations like the Financial Action Task Force (FATF). The interviews also mentioned incidents such as the lynching of a manager from Sri Lanka, which had negative implications for Pakistan's relations with other countries. These incidents raise questions about Pakistan's credibility as a peaceful nation and affect its international standing. Another thread that emerges is the role of minorities in shaping international perception. The interviewees suggested that narratives of discrimination against minorities in Pakistan, particularly Christians, have been sold to Europeans, leading to a negative perception of the country. The influence of the Christian community, despite its small size, reaches Rome and affects all of Europe. The government of Pakistan takes actions to address these issues, not only to improve the situation for minorities but also to enhance its credibility in the eyes of other countries.¹⁵²

¹⁵² Participant No. 1, Legal Expert in discussion with author, Zoom, October, 2023.

The need for introspection and responsibility is another important thread. One interviewee emphasizes that Pakistan should focus on addressing its own issues before advocating for others. It suggests that Pakistan needs to look inwardly and reflect on its own actions and shortcomings. By taking responsibility and improving its own society, Pakistan can empower its citizens and enhance its international reputation. According to one activist from a minority community if we wish to see the world fight Islamophobia we have to be role models first.¹⁵³

One interviewee insisted that violations of freedom of religion and belief were isolated incidents and that Pakistani government had remedial procedures in place for such incidents. Moreover, the government is in constant contact with organizations such as the United Nations, the Office of the High Commissioner for Human Rights, and the Human Rights Council. The government of Pakistan collaborates with these organizations, provides detailed reports on incidents, and conducts thorough inquiries. Engaging with international human rights organizations serves to address concerns and substantiate rebuttals against claims through factual evidence. The interviewees also reveal a discrepancy between reported and actual incidents. The interviewees mentioned that NGOs claimed a thousand forced conversions in Pakistan every year, but the government's inquiry found only nine cases. This highlights the importance of conducting proper investigations and collaborating with various institutions to provide accurate information and counter false narratives.¹⁵⁴

The influence of international pressure and the importance of image building were also highlighted. One of the interviewees suggested that Pakistan takes action and implements reforms when there is international pressure or the possibility of sanctions. The interviewees also emphasized the significance of international criticism and the impact it has on Pakistan's international reputation. Repeated violations of freedom of belief and religious intolerance adversely affect Pakistan's standing and attract international scrutiny.

The relationship between rhetoric and action in foreign policy is another thread that emerges. The interviewees suggest that Pakistan's record on human rights and minority rights is not a significant concern when it is needed for international operations or collaborations. However, when Pakistan is not needed, these issues are highlighted, affecting

¹⁵³ Participant No. 12 Activist in discussion with the author, Zoom, November 2023.

¹⁵⁴ Participant No. 3, Legal Expert in discussion with the author, Phone Call, October, 2023.

its international standing. This highlights the complex nature of foreign policy and the interplay between different forms of power and priorities. In the opinion of a legal professional, *‘During 9/11, we were needed as allies, during the Cold War, we were needed. Then these issues were not highlighted in international media or international forums.’*¹⁵⁵

Pakistan's international standing and economic matters are affected by incidents of violations of freedom of religion and belief along with other minority rights. The interviewees mentioned the European Union's discussions on Pakistan's GSP+ status and the US State Department's report on international religious freedom as examples of how violations can impact Pakistan's economic and diplomatic relations. The interviews emphasized the need for Pakistan to rectify these issues to avoid negative consequences and improve its image. As per one legal expert:

Violence against minorities, even by non-state actors, whether it's one incident or a thousand incidents, severely impacts Pakistan's standing. Like I mentioned, the GSP+ status and discussions in the European Parliament...The report on international religious freedom that they conduct on Pakistan, and every other country, impacts us.

(Participant No. 7, Legal Expert)

However, according to another legal expert Pakistan ratified and implemented 27 out of 29 conventions European Union (EU) demanded it to do so that it's GSP+ status could be extended. They went on to state that Pakistan's GSP status has been maintained for 10 years which was proof that Pakistan's human rights framework is improving. They further stated:

If there were thousands or millions of violations happening in Pakistan, as people claim, and minorities were suffering so much, why would they grant us the GSP+ status? Pakistan is not a utopia, right? Violations happen in the US, in the UK. Violations happen in Finland, Sweden, Vienna too.

(Participant No. 3, Legal Expert)

Expressing a similar sentiment another legal expert said:

¹⁵⁵ Participant No. 5, Legal Expert in discussion with the author, Zoom, October, 2023.

...I think that these issues are a little bit...blown up, I would say, and maybe it's affected the Pakistan international reputation too much...because the discrimination based on the religion is prevalent all around the world in the most developed countries as well.

(Participant No. 10, Legal Expert)

Discussions surrounding Pakistan's GSP+ status in the EU and the US State Department's assessments on religious freedom demonstrate the tangible repercussions of these violations. Nonetheless, it should be kept in mind that the recent extension of the GSP+ status for Pakistan and other beneficiaries to the year 2027 ensued due to a hiatus in negotiations between the European Parliament and member states, undertaken to reconcile disparities in their respective policy frameworks.¹⁵⁶ Even so some commentators maintain that Pakistan has made little progress on the human rights front.¹⁵⁷

4.5.2 Double Standards of the International Community

Interviewees mentioned the discriminatory laws in India, such as the Citizenship Act (Amendment), 2019 which discriminates against religious minorities like Muslims. They also mention the presence of religious fanatic groups and incidents like beef lynching that make it difficult for Muslims to live in India. This sub-theme is further supported by the mention of the attack being condemned by different religious parties in Pakistan, emphasizing the contrast in treatment towards religious minorities. The interviews acknowledge that sporadic and isolated incidents may occur in Pakistan, but they do not represent the society as a whole. These incidents are condemned, and the government takes action against them. One legal expert explains:

...in India we have the RSS [Rashtriya Swayamsevak Sangh]...There are pogroms being run in India by the RSS...Even different religious parties like Jamaat-i-Islami, JUI – F [Jamiat Ulema-e-Islam – Fazl] and Tahrik-e-Labaik Pakistan all condemned the [Jaranwala] attack [in Pakistan]... Even

¹⁵⁶ Mubarak Zeb Khan, “GSP+ Status Extended for Four Years,” DAWN.COM, 06:25:28+05:00, <https://www.dawn.com/news/1779621>.

¹⁵⁷ Peter Jacob, “Work in Progress,” *The News*, December 17, 2023, sec. Dialogue, <https://www.thenews.com.pk/tns/detail/1138499-work-in-progress>.

in the Jaranwala incident the accuser was a Christian who had a personal disagreement with the man he falsely accused of blasphemy...The high officials, police officials, IG Punjab, Rangers, Chief Minister Punjab, the Prime Minister and the Minister of Human Rights who is a Christians himself went and visited the sites which were attacked. The victims were given monetary compensation.

(Participant No. 3, Legal Expert)

Multiple interviewees also acknowledged the role of global politics in discussions of international law and standards. One interviewee compared Pakistan to China and India, noting their economic growth and active involvement in international politics despite the fact that they face issues regarding mistreatment of minority communities as well. They suggest that if Pakistan had similar economic growth, its human rights issues would not be as big a problem as they are now. Most interviewees insisted that these problems exist everywhere and are not just specific to Pakistan. This issue highlights the impact of global politics on a Pakistan's ability to protect its interests and rights. Elucidating this point one of the legal authority said, '*Obviously there is a global politics going on that's you cannot, you know talk about international law without international politics...But, you know, look what we are comparing, we are comparing ourselves with China or India.*'¹⁵⁸

However, it should be kept in mind that such a deflection of criticism with criticism directed at other parties is considered logically fallacious. This form of fallacy is known as *tu quoque* or whataboutism. By deflecting criticism this way the ground reality of Pakistan does not change and it merely diverts one's attention away from the problem at hand. However, there is scholarship that exists which argues that such a criticism should not be considered logically fallacious but should be considered genuine denunciation of a prevalent double standard in international society which promotes unfairness.¹⁵⁹ This discrepancy was pointed out by the Pakistani Foreign Office in a statement made in January, 2024 when it

¹⁵⁸ Participant No. 9, Legal Expert in discussion with author, Zoom, October, 2023.

¹⁵⁹ Eliav Lieblich, "Whataboutism in International Law," SSRN Scholarly Paper (Rochester, NY, October 22, 2023), <https://papers.ssrn.com/abstract=4609679>.

categorically rejected the designation of ‘Country of Particular Concern’ made by the US, pointing out that countries like India were conspicuously absent from the list.¹⁶⁰

One interviewee questioned the existence of international standards, particularly regarding religious minorities. They mentioned the lack of mosques in Eastern Europe, the ban on *burqas*, the ban on *Eid* sacrifices and the refusal to grant Islam the status of a religion in Slovakia claiming that Europe, the so called torchbearer of minority rights, is one of the most Islamophobic regions in the world. They argued that international standards are inconsistent and biased, protecting only certain groups, such as white European Christians. They state that international law does not care about protecting the rights of Muslims or individuals from Third World countries in practice; pointing out that there is no international law applicable on Trump’s Muslim ban or the situation in Gaza in practice. This sub-theme emphasizes the perception that international law and standards are not universally applied. Illustrating this perspective one legal expert said:

But if you are from the third world country, if you are Muslim, if you have a different skin color, then basically the international law doesn't care about you...human rights are being protected only if you are a white European or white American...

(Participant No. 10, Legal Expert)

¹⁶⁰ “Pakistan Rejects Designation as ‘a Country of Particular Concern’ by the U.S. State Department,” Ministry of Foreign Affairs: Government of Pakistan, January 8, 2024, <https://mofa.gov.pk/press-releases/pakistan-rejects-designation-as-a-country-of-particular-concern-by-the-us-state-department>.

CHAPTER 5 CONCLUSION

5.1 Implications of the Study

5.1.1 Theoretical Implications

This study underscores a pertinent theoretical implication concerning the imperative for a more fortified structure within the liberal world order, one that upholds a rule-based system inclusive of safeguarding fundamental human rights for minority groups worldwide. A discernible concern arises from the absence of a dedicated Covenant specifically addressing religious freedoms, contrasting with existing agreements that target distinct societal concerns. The absence of such an instrument accentuates the need for a more comprehensive framework to ensure protection and promotion of these fundamental liberties.

5.1.2 Practical Implications

Moreover, enhancing Pakistan's standing within the global community necessitates a strategic and cost-effective approach, primarily through the unequivocal provision of basic human rights to all its religious minority communities. Such a proactive measure holds the promise of substantially ameliorating Pakistan's global perception while fostering internal stability, thereby fostering economic advancement and bolstering the nation's tourism sector. This multifaceted approach not only augments Pakistan's international image but also engenders favorable conditions for economic growth and societal harmony within the nation.

Additionally, the application of the Pyramid of Hate framework presents a comprehensive model delineating the progressive stages of prejudice and discrimination in society with their being proof that Pakistan has progressed through the stages of Biased Attitudes, Acts of Bias, Discrimination and Violence. The next step is the Genocide stage which Pakistan needs to avoid in order to maintain its global reputation and credibility. This model serves as a crucial tool in understanding the trajectory of bias against religious minorities, highlighting the urgent need for early interventions and preventive measures. By emphasizing the significance of addressing foundational biases, there is a need to advocate for proactive strategies to curb the escalation of discrimination, ultimately averting severe manifestations of hate.

5.2 Delimitations of the Study

This research is delimited within the scope of examining religious extremism exclusively, within the context of Pakistan. The study intentionally focuses on religious extremism and does not encompass other forms of extremism prevalent within the country. The research specifically targets religious extremism, examining its manifestations, drivers, impacts, and potential mitigation strategies. Other types of extremism, such as political, socio-economic, or cultural, are deliberately excluded from this investigation. This thesis does not engage in comparative studies between various forms of extremism prevalent in Pakistan or globally. The primary focus remains on understanding the nuances and complexities of religious extremism within the local context.

5.3 Limitation of the Study

The study's application of Purposive Sampling has revealed some limitations inherent to this methodology. The sampling process, reliant on the researcher's judgment, introduces potential biases that may exclude certain perspectives or individuals, thus limiting the representation of the population under study. By selecting participants based on predefined criteria, the findings might lack generalizability to the broader population, potentially inadequately capturing the diversity and complexity inherent within. Additionally, the specificity of the criteria used for selection poses challenges in replicating the process, thereby impacting the study's reproducibility.

5.4 Future Research Directions

An area ripe for exploration entails in-depth research into specific thematic areas intricately linked to the plight of religious minority groups, such as the pervasive issue of forced conversions. Delving into these critical topics offers an opportunity to conduct empirical investigations, employing qualitative and quantitative methodologies, to illuminate the complexities surrounding forced conversions and similar challenges faced by religious minorities. This targeted research endeavor is poised to generate a comprehensive understanding, laying the groundwork for informed policy formulation and intervention strategies in consonance with international legal mandates.

Prospective studies could explore the potential application of the severability doctrine within the realm of international human rights instruments, particularly concerning the reservations associated with such treaties. Addressing a research gap, further

investigation should delve into the state practice concerning severability, discerning whether it has evolved into an established norm within international law.

5.5 Conclusion

This study investigated the complex relationship between the rise of extremism and its impact on freedom of belief in Pakistan. The study also addresses the challenges faced by minority communities and the historical context of religious freedom in Pakistan.

The findings from this study reveal a profound correlation between extremism and their direct impact on the violation of freedom of belief in Pakistan. Extremist actions have been identified as pivotal factors leading to restrictions and infringements upon religious freedoms within the country. The findings demonstrate how extremism has significantly curtailed the exercise of freedom of belief among certain religious communities, thereby posing substantial challenges to Pakistan's commitment to ensuring religious freedoms.¹⁶¹ The study traverses various dimensions, starting with the alarming rise of extremism and decline of religious tolerance, contrasting it with Pakistan's inception ideals. Pakistan's history as a nation founded on the principles of religious freedom and tolerance has been marred by evolving challenges. From the initial ideals of religious harmony to the contemporary struggles against rising extremism, the narratives presented provide insights into the sociopolitical landscape of the country.¹⁶²

Experts acknowledge Pakistan's efforts to forbid the forcible conversion of members of minority communities. To defend the rights of womenfolk and juveniles, Pakistan must approve legislation that forbids forced conversions before it can be said that Pakistan has fulfilled its responsibilities.¹⁶³ Pakistan should also take care to uphold and adhere to the Paris Principles as was demanded in a national round table conference by the Human Rights Commission of Pakistan (HRCP).¹⁶⁴ The state has enacted several policies, such as the National Action Plan of 2014,¹⁶⁵ which was revised in 2021,¹⁶⁶ the National Internal

¹⁶¹ Nasir, *Extremism and Counter-Extremism Narratives in Pakistan: An Analysis of Narrative Building*.

¹⁶² Zaidi, "Religious Minorities in Pakistan Today."

¹⁶³ United Nations News, "Pakistan: Rights Experts Urge Action on Coerced Religious Conversions, Child Marriage," United Nations, January 16, 2023, <https://news.un.org/en/story/2023/01/1132482>.

¹⁶⁴ "HRCP Seeks Statutory National Commission for Minorities' Rights," *Dawn*, January 12, 2024, sec. Pakistan, <https://www.dawn.com/news/1805038>.

¹⁶⁵ "National Action Plan, 2014."

Security Policy 1 and 2, and guidelines aimed at Countering Violent Extremism.¹⁶⁷ Nevertheless, the efficacy of these policies is hindered by challenges in execution. Resource allocation and budgetary distributions tend to prioritize kinetic operations over the implementation of policy frameworks. Furthermore, the frequent shifts in governmental leadership contribute to impediments in policy enforcement. Hence, the anticipated fruition of these policies might extend beyond a decade due to these complexities.¹⁶⁸

Pakistan's dedication to human rights is apparent through its ratification of the UDHR, ICCPR, International Covenant on Economic, Social and Cultural Rights (ICESCR) and various other international agreements.¹⁶⁹ However, Pakistan has consistently lodged objections to specific provisions within these declarations, citing conflicts with fundamental Islamic principles. This stance aligns with the principle of state consent, asserting a country's prerogative to reject aspects of a treaty or agreement. Notably, the absence of dedicated covenants for religious belief, except for a non-binding declaration, underscores a lacuna in international law. Additionally, the absence of a hierarchical structure of rights implies Pakistan's discretion in not prioritizing one right over another. Debate among experts persists regarding the implications of Pakistan's reservations concerning freedom of belief. One school of thought suggests that these reservations signify a lack of sincerity in upholding international human rights obligations. Conversely, another viewpoint posits that these reservations underscore Pakistan's stance of not being inherently bound by specific commitments in this regard.

Regarding Pakistan's adherence to international legal norms, the investigation reveals that the VCLT presents a regulatory gap allowing Pakistan's reservations, despite their divergence from the objectives of the ICCPR, to remain in effect. This is primarily due to the absence of remedial provisions within the VCLT to address such discrepancies. Moreover, operating within a dualistic legal framework, Pakistan does not automatically apply

¹⁶⁶ “Revised National Action Plan – 2021 – NACTA – National Counter Terrorism Authority NACTA Pakistan,” accessed December 5, 2023, <https://nacta.gov.pk/revised-national-action-plan-2021-2/>.

¹⁶⁷ Nasir, *Extremism and Counter-Extremism Narratives in Pakistan: An Analysis of Narrative Building*.

¹⁶⁸ *Ibid*.

¹⁶⁹ Ministry of Human Rights, “Information and Learning Material on Core Human Rights Conventions Ratified by Pakistan.”

international law unless expressly incorporated into its domestic legislation. Consequently, the study asserts that Pakistan is not strictly bound by international legal obligations outlined in Article 18 of the ICCPR. Nevertheless, it is within Pakistan's vested interest as a sovereign entity to safeguard the freedom of belief or religion within its jurisdiction, given the pivotal role it plays in preserving domestic stability and upholding its standing within the global community.

The findings gleaned from these interviews underscore the profound impact of Pakistan's religious freedom violations on its global reputation and diplomatic relationships. The discussion surfaces how these violations, exemplified by incidents like the tragic lynching of a Sri Lankan manager, have cast a shadow on Pakistan's image as a peaceful nation, influencing its interactions with other countries.¹⁷⁰ Minority communities, particularly the Christian population, have played a pivotal role in shaping international perceptions of the country, extending their influence to Europe and beyond. Consequently, the Pakistani government finds itself grappling with the complexities of managing these situations to safeguard credibility on an international stage.

Notably, these discussions have revealed a nuanced landscape. They stress the imperative for introspection within Pakistan, advocating for the resolution of internal issues before projecting advocacy onto others. There's a call to action for Pakistan to better address its own societal shortcomings, thereby bolstering its global standing and empowering its citizens.

The existence of remedial measures within the Pakistani government to address religious freedom violations, backed by engagement with global human rights organizations is proof that acts of violence against minority community do not have state sanction in Pakistan. Pakistan has gone so far as to appoint a Christian as the Caretaker Federal Minister of Human Rights.¹⁷¹ The sway of international pressure on Pakistan's actions and policies is evident, triggering reforms and actions, particularly when facing potential sanctions. These repeated violations of religious freedom and belief systems not only tarnish Pakistan's global

¹⁷⁰ "Sialkot Mob Lynches Sri Lankan Factory Manager, Burns Corpse over Blasphemy Allegations," *Dawn*, accessed December 5, 2023, <https://www.dawn.com/news/1661728>.

¹⁷¹ "Mr. Khalil George - Caretaker Federal Minister of Human Rights," Ministry of Human Rights - Government of Pakistan, accessed December 6, 2023, <https://mohr.gov.pk/ProfileDetail/NWY2ZDM2NTQtMTBmMy00NzI0LTliMDktMWQzYTI3NzgxZWVk>.

standing but also imperil its economic and diplomatic relations. Pakistan's issues are spotlighted when its international relevance diminishes, other nations facing similar or worse human rights problems often evade such scrutiny due to economic prowess or political relevance.

The interviews also touch upon the contention surrounding international standards. Interviewees question the consistency and fairness of these standards, citing instances of discriminatory laws and policies in various countries.¹⁷² They argue that the purported global norms on religious minority rights seem to protect only certain groups, particularly white European or American Christians, while ignoring violations elsewhere.

¹⁷² Eun-Jung Katherine Kim, "On the 'Burka' Ban," *Public Affairs Quarterly* 26, no. 4 (2012): 293–312; "Slovakia Bars Islam from Becoming State Religion," *The Independent*, December 1, 2016, <https://www.independent.co.uk/news/world/europe/slovakia-bars-islam-state-religion-tightening-church-laws-robert-fico-a7449646.html>; "Polish Muslims Drop Eid Sacrifice amid Protests, Halal Ban," accessed December 17, 2023, <https://tribune.com.pk/story/618920/polish-muslims-drop-eid-sacrifice-amid-protests-halal-ban>.

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APPENDIX A INTERVIEW GUIDES

INTERVIEW GUIDE FOR LEGAL SCHOLARS

Dear Participant,

I am Saira Baig, a researcher pursuing my MPhil degree in International Relations from Bahria University, Islamabad at the Department of Humanities and Social Sciences with the Faculty of International Relations, conducting in-depth interviews as a crucial part of my thesis research titled "Rise in Extremism and Challenges to Freedom of Belief: A Critical Analysis of Pakistan's International Human Rights Commitments." This study aims to explore the complexities surrounding the increase in extremism and its impact on freedom of belief in Pakistan. Your valuable insights and experiences are essential to enriching the depth and quality of this research.

Your participation in this study is of utmost importance, and I truly appreciate your willingness to share your perspectives. Please be assured that all the information you provide will be handled with the strictest confidentiality. Your responses will be anonymized and aggregated, ensuring that your identity remains completely confidential. No individual participant will be identifiable in the final analysis or any subsequent publications arising from this research.

Moreover, it is my ethical responsibility to emphasize that this study adheres to the highest standards of research ethics. I am committed to ensuring your privacy and well-being throughout this process. As such, if at any point during the interview or afterward you feel uncomfortable or wish to withdraw from the study, please do not hesitate to do so. Your voluntary participation is entirely respected, and you have the right to withdraw without any consequences.

Furthermore, this research adheres to the principles of informed consent, meaning that you have the right to know the nature of the study, its objectives, and how the data will be used. You are encouraged to ask any questions you may have before, during, or after the interview process. Your understanding and consent are fundamental to the ethical conduct of this research.

Once again, I appreciate your contribution to this study, which will not only enhance my academic knowledge but also contribute to a deeper understanding of the challenges faced by communities in the context of extremism and freedom of belief.

Thank you for your cooperation and support.

Sincerely,
Saira Baig

Bahria University/Department of Humanities and Social Sciences
Sairabaig47@gmail.com
0336-7141442

Demographic Details

Name:

Gender:

Occupation:

Educational Background:

Experience:

1. What are the key international legal instruments that guarantee freedom of religion and protect religious minorities that Pakistan is a signatory to?
2. In your view, how well does Pakistan's domestic legal framework including constitution safeguard religious freedom and rights of minorities according to these international standards?
3. What are the gaps or inconsistencies (if any) between Pakistan's national laws/policies and its obligations under international human rights law?
4. Which state institutions are responsible for upholding religious freedom and minority rights in Pakistan? How effective are they according to you?
5. In your legal assessment, what are the major hurdles in accessing justice and legal remedies for minority groups facing discrimination?
6. Do you foresee the prospect of new and progressive laws/policies being adopted to better protect religious freedom and ensure equal citizenship?
7. Does repeated violations of freedom of belief effect Pakistan's international reputation and prestige?
8. Is there any additional information or insights you'd like to share on this topic that haven't been covered in the previous questions?

INTERVIEW GUIDE FOR ACTIVISTS

Dear Participant,

I am Saira Baig, a researcher pursuing my MPhil degree in International Relations from Bahria University, Islamabad at the Department of Humanities and Social Sciences with the Faculty of International Relations, conducting in-depth interviews as a crucial part of my thesis research titled "Rise in Extremism and Challenges to Freedom of Belief: A Critical Analysis of Pakistan's International Human Rights Commitments." This study aims to explore the complexities surrounding the increase in extremism and its impact on freedom of belief in Pakistan. Your valuable insights and experiences are essential to enriching the depth and quality of this research.

Your participation in this study is of utmost importance, and I truly appreciate your willingness to share your perspectives. Please be assured that all the information you provide will be handled with the strictest confidentiality. Your responses will be anonymized and aggregated, ensuring that your identity remains completely confidential. No individual participant will be identifiable in the final analysis or any subsequent publications arising from this research.

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Once again, I appreciate your contribution to this study, which will not only enhance my academic knowledge but also contribute to a deeper understanding of the challenges faced by communities in the context of extremism and freedom of belief.

Thank you for your cooperation and support.

Sincerely,

Saira Baig

Bahria University/Department of Humanities and Social Sciences

Sairabaig47@gmail.com

0336-7141442

Demographic Details

Name:

Gender:

Occupation:

Educational Background:

Experience:

Religion/Sect:

1. How would you describe the current situation in Pakistan regarding freedom of belief? What factors do you think come into play when we talk about challenges to freedom of belief in Pakistan?
2. In your view what role do civil society/NGOs play in supporting government's efforts towards fulfilling its human rights obligations?
3. Can we talk about your work viz-a-viz the government and other stakeholders to strengthen minority protections and counter religious extremism?
4. In your opinion, what policy reforms are essential to ensure equal citizenship rights for all regardless of faith in both spirit and practice?
5. What specific methods and tools can activists use to monitor government compliance with its international commitments?
6. What criteria can activists use to evaluate the effectiveness of government programs and policies in implementing its international commitments?
7. How can activists support the government in implementing its international commitments?
8. What effects do you think repeated violations of freedom of belief have on Pakistan's international reputation and standing? What implications do think these violations have for the internal stability of Pakistan?
9. What prospects do you see for Pakistan in the coming years regarding freedom of belief?
10. Is there any additional information or insights you'd like to share on this topic that haven't been covered in the previous questions?

APPENDIX B SAMPLE OF CODED INTERVIEWS

INTERVIEW NO. 2

INTERVIEWER: How would you describe the current situation in Pakistan regarding freedom of belief? What factors do you think come into play when we talk about challenges to freedom of belief in Pakistan?

INTERVIEWEE: I was fortunate enough to be born in a Pakistan where there truly was religious freedom. My parents and my grandparents had left India and built Pakistan with the Quaid-e-Azam on this belief that everyone has the right to practice their own religion. Islam, the Quran says there is no compulsion in Islam and yet we forget this very important commandment from God. Over the years, since the invasion of Afghanistan by Russia I saw a decline in the moral fabric of our society and that is the time I myself left Pakistan because I did not think it was a place where I would want to raise my children anymore because the way I grew up was I was safe, everyone was welcome, there was no problem with Sunnis and Shias, with Ahmedis, with Christians, infact Christians were looked on upon as our educators and so I saw a very different Pakistan where there was also no compulsion on women. Women played games. You know we played net ball. We played all kinds of games in our schools. We rode bicycles and nobody's stopped us but I saw all that change and societies where there is no religious freedom tend to become economically... there is an economic decline in societies where there is no religious freedom and I saw that happen to Pakistan. I think there is still, um, little glimmers of hope. I think you do see. I think Karachi is still far better than many other places. *[History of Extremism]* Islamabad you see that but the general intolerance is very, very is a threat to Pakistan. *[Degree of Threat]* Recently, I was in Punjab in Jaranwala and what I observed was that the intensity of the hate for the Christians and the anger was so severe it could be seen in the way the homes and the churches were burnt of the Christians. The way they were burnt reeked of intolerance and hate. *[Religious Persecution]* How has that seeped in because when I was born I was not indoctrinated with hate for Hindus, hate for Sikhs, hate for India. I was just told about the great story of struggle for Pakistan. That we have a country in which we can as Muslims, as

Christians and as Sikhs we can practice our religion freely. Whatever happened to that dream. *[History of Extremism]*

What are the challenges in other words for freedom of belief. One is that the curriculum in schools does not teach children to think critically to be accepting and to be tolerant and every, every aspect of, all the examples included in the books tend to be oriented towards religion instead of Muslims that have done great things. Muslims that have, you know, that have led the field in math, led the field in the Covid vaccine. Muslims have invented things. So instead of showing that Muslims are other than those that were born in the time in 623 AD ah the Muslims in the past and in the Golden Era and even today as we speak they have done great things in science, technology, agriculture. But there is no mention of that, very little mention of that in the curriculum. The result being that Muslims think, children growing up think that, not Muslims but children growing up think that, 'Oh, you know the West has achieved and we haven't. And it creates a sense of depravity, it creates a sense of victimhood that we haven't done anything other than what we did in spreading Islam. *[Social Factors]* I think it is important to know to add those aspects in the curriculum for the children to right all the way upto highschool. I mean fine we can talk about Marie Curie, we can talk about but there is Ibn-e-Sina, there is you know there is so many examples of Muslims who have done great things those have to be instilled. Also through out the curriculum there has to be supplementary curriculum books, especially in the early years of the education, primary school there has to be material that shows the contribution of the minorities in Pakistan so that they see them accepted by the government and see the role they have played. There is very little of that for example, Mr. Avari, you know if it weren't for him we wouldn't have good hotels. He is a pioneer. The Hashwanis, all of these people need to be included in the curriculum. These are minorities that have built Pakistan. Every country recognizes its people uh, irrespective of the religion to you know celebrate what they have done for their nation. We must do the same. That's one of the things that I feel stops our young people from even knowing about them because they're not going to come across, majority of our kids are not going to go to Avari Towers, let's be honest. They're not going to go to Marriott. They should know that these are the minorities that have helped build Pakistan. And then also the same for women. If you don't, if women are not participating fully in every aspect of life in Pakistan it will not flourish. We all know that. We are fifty

percent of the world. We need to be given the same opportunity the same status, the same respect. So I think that once we have dealt with the curriculum then you'll have a whole generation of children that will grow up seeing. We will normalize the inclusion of minorities. We must do that. *[Recommendations: Curriculum Changes]* The other thing that is stopping us and is a challenge to freedom of belief is that the moment that somebody says something that may not agree with them when it comes to Islam or any other religion they will scream out fatwas against them and clerics will go viral and their vitriol is going to be all over the news and all you hear is negativity, negativity. This is bad for the psyche of the country. *[Religious Factors]* Every country and I have travelled extensively around the world. Muslim countries they monitor what their people are saying ah, what the Imams are saying. They train the Imams to use the right language, to use words that reconcile, to use language that reconciles, ah. To use examples from the Prophet of Islam (PBUH) his life is the most, is the best example of inclusion and diversity. *[Recommendations: Promoting Tolerance]* He is the one who freed the first black slave. What did he show us with that example? That in the eyes of God we are all equal. It doesn't matter who you are what your color is you are taken into the fold of Islam you are treated equally whether you are a Muslim or not. If you are given, if you live on the same land as us you will be treated equally because you are Allah's creation and ah very little emphasis is given on Abrahamic faiths, you Prophet Abraham (Khalil Allah) (PBUH). We don't mention the Prophets of Islam. You know they are the same as the biblical and the Judean Biblical Prophets but we don't hear them. Their lives are examples for everyone. Ah, Prophet of Islam (PBUH) when he went up to the heavens he was greeted by the great Prophets yet we hear nothing about the way they lived their lives. Solomon and his examples of wisdom, Abraham and how close he was to Allah and all of these examples of the Prophets before Prophet Muhammad (PBUH) are very important for people to see that yes there are books that God sent. So yes, in the Islamic curriculum for the Muslims there has to be more emphasis on the previous Prophets so that they see that there are people that God has created you know the verse. Please add that verse. I have created you into nations and tribes, different not the same, so that you may get to know each other better when did Allah say in the Quran that every has to be a Muslim or everyone has to be black or white. Allah has given us variety in the way we look, the way we think so that we get to know each other better. Otherwise, the world would have been

very boring. Also it's very important to teach our children to have dissenting viewpoints and to accept them but to do it respectfully. We have forgotten that. I think these are all challenges. Critical thinking at college level. To be able to think and argue and do it respectfully and to have ideas that are different that might not be the mainstream ideas. Anyways these are some of the challenges that I feel also challenges to freedom of belief have to come from the bottom up and the top down. There have to be laws created by the legislators in Pakistan that allow people to speak and to talk about different ways of being inclusive of the other. To not say hurtful things about each other especially when it comes to religion. Alright, we have the blasphemy law but the blasphemy law is separate. It was given by the British. Like we want the world to stop burning the Qurans and Torahs in the same way we must have laws that allow us, that instil the value of the books that God has sent. We can burn them. We can not hurt the feelings of our fellows. Why don't we have compassionate laws. If we can have blasphemy we can have compassionate laws. Empathetic laws, respectful laws that yes we will not say things and there has to be punishment like that if you have broken the heart of a Sikh brother then you go and you serve 50 hours of community service in a Gurdwara to get to know them better and I remind you that verse again I have created you into different nations, different tribes so that you may know each other. This is the only way we will know each other. In the west we spend hours and hours in churches as we do interfaith work. Gurdwaras Hindu temples and synagogues. What happens? Our faith in Islam becomes stronger because we realize we are part of the same Abrahamic faiths. We are part of the same universe. Everyone of us wants good for the other. *[Recommendations: Rule of Law]*