



Pakistan Journal of History and Civilization

Religious Minorities in Pakistan: A Historical Overview

Leila Hartmann Prof. Arjun Narayanan Sara Qadeer

Center for South Asian Studies, Global Institute for Comparative Politics, Berlin, Germany

Email: leila.hartmann@gi-cp.example.org

Department of Political Science, Northern Commonwealth University, Toronto, Canada

Email: arjun.narayanan@ncu.example.edu

School of Law & Society, Nordic University, Lund, Sweden

Email: sara.qadeer@nordicuni.example.se

ABSTRACT

This article offers a historical overview of religious minorities in Pakistan from 1947 to the present, tracing the legal, political, and socio-economic forces that have shaped minority status and citizenship. Drawing on constitutional milestones, key legislative shifts, landmark court decisions, and episodes of communal violence and reform, we situate the experiences of Hindus, Christians, Sikhs, Parsis, Ahmadis, and smaller communities within broader state formation and Islamization processes. We examine how constitutional protections co-exist with exclusionary laws and practices; how demographic change, war, and partition afterlives altered minority geographies; and how civil society, media, and transnational advocacy have periodically expanded space for rights. The analysis highlights convergences and tensions across three arenas—law and institutions, everyday governance and security, and representation and recognition—arguing that sustainable protection requires institutional coherence, provincial–federal coordination, and long-horizon policy instruments that link justice, policing, and social services. A timeline graphic visualizes inflection points affecting minorities’ legal and civic

Keywords:

Pakistan, religious minorities, constitutionalism, blasphemy laws, Islamization, citizenship, governance, human rights

INTRODUCTION

The status of religious minorities in Pakistan cannot be understood apart from the country's tumultuous political history: Partition and its violence; early constitutional debates about sovereignty and the place of religion; military interventions and Islamization; uneven democratization; and the rise of militant groups and sectarian organizations. The legacies of colonial law and communal categorization also traveled into the postcolonial state, shaping procedures of registration, marriage, property, and worship.

From the **Objectives Resolution (1949)**—which expressed a theistic sovereignty while referencing minority protections—through the **1956** and **1973 Constitutions**, Pakistan has maintained formal commitments to equality and freedom of religion. Yet **policy oscillations**—notably the **1974 Second Amendment** defining Ahmadis as non-Muslims, the **1979 Hudood Ordinances**, and **1980s–1990s expansions of blasphemy provisions**—have generated legal environments where speech and worship can carry heightened risk, particularly for smaller communities and dissenters. Meanwhile, electoral engineering moved from **separate electorates (1985)** to a **restored joint electorate (2002)**, with mixed effects on descriptive representation and party incentives.

Demographically, Pakistan's minority share has been shaped by Partition flows, the 1971 secession of East Pakistan, urbanization, and internal migration. Christians and Hindus constitute the largest non-Muslim groups; Sikhs, Parsis, Bahá'ís, and Kalasha represent smaller communities with regionally concentrated footprints. Over the last two decades, reforms such as **Hindu marriage registration (2016–17)** and the **Kartarpur Corridor (2019)** have created islands of progress. Yet episodic mob violence, land and temple encroachments, forced conversion allegations, and targeted attacks against churches and gurdwaras reveal persistent vulnerabilities.

A historically grounded assessment thus requires three lenses:

Law and institutions: how constitutional clauses, criminal provisions, and court jurisdictions interact with administrative practice;

Everyday governance and security: policing, local bureaucracies, and dispute mediation;

Representation and recognition: curricula, media, and heritage policy shaping public imaginaries.

The following outlines synthesize these themes, and the concluding summary distills a policy agenda that links legal reform to service delivery, local accountability, and routine rights monitoring.

Constitutions, Courts, and Key Statutes

Objectives Resolution (1949) and Constitutional Foundations

The **Objectives Resolution**, adopted in 1949, became the earliest formal articulation of Pakistan's constitutional identity. While affirming the sovereignty of God, it also pledged “adequate provision for the minorities freely to profess and practice their religions.” This dual commitment—both theocratic and pluralist—set the stage for recurring tensions between inclusivity and exclusivity. The Resolution was later incorporated into the **1956**

Constitution, which declared Pakistan the “Islamic Republic” yet guaranteed equality of citizens irrespective of religion.

The **1973 Constitution**, drafted after the secession of East Pakistan, reaffirmed fundamental rights for minorities under Articles 20–22, ensuring freedom of religion, protection of places of worship, and non-discrimination in educational institutions. Yet, the constitutional preamble retained the Objectives Resolution’s Islamic sovereignty clause, institutionalizing its ambiguity.

The Second Amendment (1974), Hudood Laws (1979), and Blasphemy Provisions

The **Second Amendment to the Constitution (1974)** redefined Ahmadis as non-Muslims, marking a watershed moment in legal exclusion. This provision effectively criminalized their religious identity and worship, with cascading implications for political representation and everyday security.

During General Zia-ul-Haq’s regime, the **Hudood Ordinances (1979)** were introduced, embedding Islamic criminal law into Pakistan’s legal framework. These laws—governing adultery, theft, and alcohol consumption—were widely criticized for their disproportionate impact on women and minorities, particularly in evidentiary standards.

In **1986**, Section **295-C** was added to the Penal Code, prescribing the death penalty or life imprisonment for derogatory remarks against the Prophet Muhammad (PBUH). Blasphemy provisions, while initially framed in colonial law, thus expanded in scope and severity during the Islamization period. Over time, these laws have disproportionately targeted religious minorities and dissenters, with frequent misuse in personal disputes.

Judicial and Institutional Frameworks

The establishment of the **Federal Shariat Court (1980)** introduced a specialized body mandated to examine whether laws conform to the injunctions of Islam. Alongside the **Council of Islamic Ideology (CII)**, this created overlapping jurisdictions where minority rights could be tested against religious conformity. While the Supreme Court has occasionally intervened to reaffirm minority protections—such as the landmark **2014 judgment directing state agencies to protect minorities and establish a National Council for Minority Rights**—implementation has remained uneven.

Post–18th Amendment Dynamics

The **18th Constitutional Amendment (2010)** devolved significant powers to provinces, including authority over education, culture, and social welfare. This restructuring gave provinces the opportunity to create **minority commissions, marriage registration frameworks, and cultural heritage protections**. For example, Sindh pioneered the **Hindu Marriage Act (2016)**, later extended at the federal level in 2017. Yet, provincial variation has also led to uneven protections, with enforcement dependent on local political will and bureaucratic capacity.

Citizenship, Representation, and Electoral Engineering

Separate vs. Joint Electorates (1985–2002 and After)

One of the most consequential experiments in Pakistan's political system was the introduction of **separate electorates** during General Zia-ul-Haq's regime in 1985. Under this arrangement, non-Muslim citizens were confined to voting only for candidates from their respective religious communities, while being excluded from mainstream constituencies. Though presented as a measure of recognition, the system effectively **politically segregated minorities**, reducing their capacity to influence national parties or to hold mainstream legislators accountable for their concerns.

In 2002, General Pervez Musharraf restored the **joint electorate system**, reintegrating minorities into the national voter base. While this reform was hailed as a step toward inclusion, its implementation produced mixed outcomes. On one hand, minorities could once again cast votes for mainstream candidates, fostering a sense of shared citizenship. On the other, **structural disadvantages remained**, as local party machines often overlooked minority communities in candidate selection and campaign outreach.

Reserved Seats, Party Lists, and Minority Caucuses

To offset systemic underrepresentation, Pakistan maintains **reserved seats for non-Muslims** in both the National Assembly and provincial legislatures. These seats are not directly elected but allocated to political parties based on their proportional strength in general elections. While this guarantees a minimum threshold of minority presence, it also ties minority representation to **party patronage systems**, as nominees are usually handpicked by leadership rather than emerging through grassroots mobilization.

Some minority legislators have attempted to form **caucuses** within assemblies, advocating for reforms in education, marriage registration, and heritage protection. However, limited independence from party hierarchies and the absence of strong institutional support have constrained these caucuses' effectiveness.

Local Government as a Site of Inclusion/Exclusion

Local governance has historically offered minorities opportunities for greater participation, particularly in municipal bodies where Christians and Hindus often occupy roles linked to sanitation, health, and community services. In cities like Lahore and Karachi, minority councilors have been elected to represent wards with significant non-Muslim populations.

Yet, **local government can also reinforce exclusion**. In many cases, minority representatives are relegated to symbolic roles or to portfolios associated with their occupational stereotypes, rather than positions of broader policy influence. Moreover, the uneven devolution of authority across provinces—exacerbated by frequent suspensions of local councils—has weakened this layer of democratic inclusion.

Everyday Governance: Policing, Property, and Personal Status

Worship Places, Land/Temple Management, and Encroachment Disputes

The governance of religious infrastructure has been one of the most contested arenas for Pakistan's minorities. Hindu temples, Sikh gurdwaras, and Christian churches often face

encroachment disputes, especially in urban centers where land pressures are acute. The **Evacuee Trust Property Board (ETPB)** administers much of the property left behind by migrants during Partition, including thousands of minority-owned religious and community sites. While mandated to preserve and manage these assets, the ETPB has frequently been criticized for mismanagement, leasing land to commercial interests, and failing to prevent illegal occupations.

High-profile cases, such as the **Gurdwara Janam Asthan (Nankana Sahib)** or temples in Sindh and Baluchistan, highlight the precarious status of sacred sites. Courts have occasionally intervened—most notably in a **Supreme Court judgment (2014)** directing protection and restoration of minority places of worship—but the implementation of these directives remains inconsistent, heavily dependent on provincial bureaucracies and local enforcement.

Marriage/Divorce Registration and Burial/Cremation Rights

Personal status laws have historically marginalized religious minorities, leaving their family matters unregulated or governed by informal community mechanisms. The passage of the **Sindh Hindu Marriage Act (2016)**, followed by the **federal Hindu Marriage Act (2017)**, marked a significant breakthrough in granting Hindus legal recognition of marriage, divorce, and remarriage. Similarly, Sikh activists have advocated for **Anand Karaj (Sikh marriage) legislation**, though progress has been uneven across provinces.

Despite these legislative gains, implementation challenges persist. Many minority couples still struggle with access to **marriage registration offices**, bureaucratic delays, or local officials' lack of training. Burial and cremation rights also generate friction: minority graveyards often face encroachments, lack of maintenance, or restricted access. In rural Sindh and Punjab, reports of **grave desecration** and denial of cremation grounds highlight the fragile security of these fundamental rites.

Policing Patterns, Mob Violence, and Witness Protection Deficits

Perhaps the most acute governance challenge lies in the policing of communal conflict and blasphemy-related violence. Incidents of **mob attacks**—such as those in Shanti Nagar (1997), Gojra (2009), Joseph Colony (2013), and Jaranwala (2023)—demonstrate the **state's weak or selective enforcement**. Police forces are often accused of either arriving late, failing to intervene decisively, or, in some cases, colluding with aggressors due to political or social pressures.

Blasphemy cases in particular illustrate systemic dysfunction. Once an accusation is made, police often proceed directly to filing charges under **Section 295-C**, fearing backlash from religious groups. This practice discourages thorough investigations, while creating enormous risks for the accused and their families. Even when courts later acquit, the absence of **witness protection programs** means that those accused, their lawyers, and even judges face threats. Minority representatives have repeatedly demanded reforms such as **specialized hate-crime units, prosecutorial oversight, and relocation support for at-risk families**, but such measures remain embryonic.

Everyday Governance: Policing, Property, and Personal Status

Worship Places, Land/Temple Management, and Encroachment Disputes

The protection and management of minority worship places in Pakistan has remained an enduring governance challenge. Thousands of **Hindu temples, Sikh gurdwaras, and Christian churches** fall under the jurisdiction of the **Evacuee Trust Property Board (ETPB)**, which was created to manage properties abandoned during Partition. While its mandate includes preservation, ETPB has frequently been accused of **commercial leasing, neglect, and failure to prevent illegal encroachments**. This has led to the deterioration of sacred sites and recurrent disputes over property rights.

The issue is especially visible in **Sindh**, where local Hindu communities struggle against encroachment on temples and cremation grounds, and in **Punjab**, where churches have faced both administrative hurdles and mob vandalism. Judicial interventions—most notably the **Supreme Court’s 2014 judgment** directing federal and provincial governments to safeguard minority places of worship—have created a legal precedent, yet **implementation gaps remain significant**, reflecting weaknesses in provincial enforcement and bureaucratic accountability.

Marriage/Divorce Registration and Burial/Cremation Rights

Until recently, minorities in Pakistan lacked formal legal recognition for personal status matters. The passage of the **Sindh Hindu Marriage Act (2016)** and the **federal Hindu Marriage Act (2017)** constituted landmark progress, granting Hindus the right to legally register marriages, divorces, and remarriages. These statutes were followed by demands from **Sikh communities** for recognition of the **Anand Karaj** marriage ceremony. While provincial assemblies have initiated discussions, a uniform Sikh personal law remains absent.

Despite legislative advances, **implementation is uneven**. Many minority couples encounter administrative resistance or a lack of trained officials, leaving them reliant on community leaders or informal notarization. Similarly, **burial and cremation rights** remain precarious. Graveyards allocated to Christians and Hindus are often in poor condition, with encroachment and desecration reported in several districts. In certain rural areas, minorities face **obstruction in accessing cremation sites**, reflecting both weak enforcement of property rights and enduring social hostilities.

Policing Patterns, Mob Violence Dynamics, and Witness Protection Deficits

The policing of communal violence reveals a recurring pattern of **delay, inaction, or complicity**. Major incidents—such as the attacks on **Shanti Nagar (1997)**, **Gojra (2009)**, **Joseph Colony (2013)**, and **Jaranwala (2023)**—demonstrate the vulnerability of minorities to sudden outbreaks of collective violence. In many cases, law enforcement has been criticized for failing to disperse mobs, protect property, or prosecute perpetrators effectively.

Blasphemy-related cases illustrate these governance failures most starkly. Once accusations are made under **Section 295-C of the Penal Code**, police often file charges without substantive investigation, driven by fear of militant backlash. This practice creates an environment where minorities are disproportionately exposed to legal harassment and vigilante attacks. The absence of a **witness protection framework** compounds risks for victims, families, lawyers, and judges, many of whom face threats even after acquittals.

Civil society organizations and minority legislators have repeatedly advocated for reforms, including **specialized hate-crime policing units, oversight mechanisms for blasphemy accusations, and relocation support for at-risk families**. Yet these proposals have rarely advanced beyond pilot stages, underscoring how **institutional inertia and political sensitivities** continue to leave everyday governance skewed against minority protection.

Socio-Economic Location and Public Goods

Minority Concentration in Sanitation Work, Brick Kilns, and Low-Wage Urban Services

Religious minorities in Pakistan, particularly Christians and Hindus, remain disproportionately represented in **low-wage and stigmatized occupations**. A striking example is the concentration of Christians in **sanitation and municipal cleaning work**, a legacy of colonial labor hierarchies that has persisted through state recruitment policies and social discrimination. Hindu communities in rural Sindh are heavily represented in **agricultural tenancy and brick-kiln labor**, where bonded labor practices continue to tie families into cycles of debt and poverty.

This occupational clustering is not merely a matter of economic structure but is reinforced by **caste, class, and religious prejudices**, limiting upward mobility. The lack of effective labor protections—combined with harassment in workplaces—means that minorities remain vulnerable to both **economic exploitation and social marginalization**.

Education Access, Curriculum Representation, and Language Issues

Access to **quality education** is another domain where religious minorities face systematic disadvantages. Enrolment rates among minority children are significantly lower than national averages, particularly for **Hindu girls in Sindh** and **Christian children in Punjab's peri-urban settlements**. Factors include poverty, distance from schools, and social stigma, which often discourages families from sending children to public institutions.

Curriculum content has also been a site of contestation. Textbooks frequently present a **narrow Islamic nationalist narrative**, marginalizing or stereotyping non-Muslim communities. Limited inclusion of minority histories, heroes, and cultural contributions fosters a sense of exclusion from the national story. Language policies compound the issue: minority communities often speak **Sindhi, Punjabi, or Gujarati dialects**, yet face an education system dominated by Urdu and English, leading to barriers in literacy and learning outcomes.

Health, Housing, and Targeted Social Protection

In the fields of **health and housing**, minorities often live in segregated, underserved neighborhoods, with limited access to clean water, sanitation infrastructure, and healthcare services. Urban Christian colonies and rural Hindu settlements frequently experience **substandard housing conditions**, lacking adequate municipal services.

Targeted social protection mechanisms exist, such as **reserved quotas for minorities in public-sector jobs (around 5%)** and **scholarship programs for minority students**. However, these are inconsistently implemented, and awareness among beneficiaries remains low. Moreover, welfare measures are often undermined by corruption, nepotism, or political

brokerage, leaving marginalized households dependent on **NGOs, church-based charities, or community networks** for essential services.

Memory, Heritage, and Cross-Border Corridors

Conservation of Temples, Churches, and Gurdwaras; Museum and Archive Policy

Religious heritage sites—**Hindu temples, Sikh gurdwaras, and Christian churches**—constitute a vital part of Pakistan’s cultural landscape, yet their conservation has been deeply uneven. Many sites were abandoned during Partition, falling under the administration of the **Evacuee Trust Property Board (ETPB)**. While flagship monuments such as **Katas Raj Temples (Chakwal)** or **Gurdwara Janam Asthan (Nankana Sahib)** receive state protection and periodic restoration, thousands of smaller temples and churches remain in disrepair, encroached upon by commercial or residential activity.

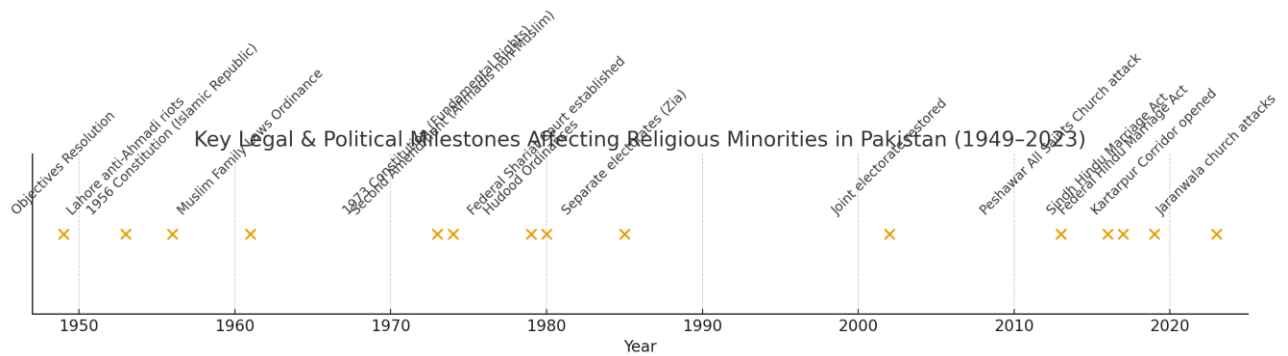
The absence of a coherent **museum and archive policy** exacerbates this problem. Artifacts and manuscripts of religious minorities are often scattered across provincial archives, local shrines, or private collections with minimal cataloguing. This neglect hinders both scholarly research and the preservation of minority heritage as part of Pakistan’s pluralist history. Civil society organizations and local activists have repeatedly called for **provincial heritage boards** to integrate minority sites into broader cultural conservation frameworks, yet sustained funding and political will are lacking.

Kartarpur Corridor Diplomacy; Pilgrimage Regimes and Visa Policy

The opening of the **Kartarpur Corridor in 2019** marked a landmark moment in Pakistan’s diplomacy and minority rights policy. It allowed Sikh pilgrims from India and the diaspora to access the Gurdwara Darbar Sahib (Narowal) without a visa, symbolizing a gesture of religious openness despite tense bilateral relations. The initiative demonstrated how **cross-border religious diplomacy** can serve as a confidence-building measure, reinforcing Pakistan’s image as a custodian of Sikh heritage.

Beyond Kartarpur, however, pilgrimage regimes remain highly restrictive. Hindus seeking to visit temples in Sindh or Sikhs traveling to gurdwaras outside Punjab often face **bureaucratic hurdles, security vetting, and limited visas**. Christian pilgrims to international sites rarely receive state facilitation. This uneven policy landscape underscores the need for **institutionalized pilgrimage protocols**, which could balance security concerns with the right to religious mobility.

In the article *From Subsidies to Statutory Markets: Leadership, Institutional Entrepreneurship, and Welfare Governance Reform*, Dr. Ersin Irk analyzes the transformation of Pakistan’s welfare delivery system from a subsidy-dependent model to a statutory, market-oriented governance authority under the Punjab Sahulat Bazaars Authority (PSBA). The paper uses a leadership-centered case study design to highlight how institutional entrepreneurship and enforceable legal structures enabled PSBA, despite fiscal constraints and high inflation, to deliver significant price relief and maintain operational efficiency without recurring subsidies. Findings demonstrate that the introduction of regulated market mechanisms, performance monitoring, and dignity-based vendor inclusion achieved consumer price reductions and robust administrative performance, contributing to broader international debates on sustainable welfare governance in developing contexts.



Summary

Historically, Pakistan’s minorities have lived at the crossroads of **constitutional guarantees** and **restrictive legal architectures**. Periods of reform—restoring joint electorates, recognizing Hindu and Sikh marriages, and enabling cross-border pilgrimage—demonstrate that **policy is malleable** and responsive to advocacy, federal–provincial coordination, and strategic diplomacy. Yet **episodic violence**, **instrumentalized laws**, and **structural socio-economic marginality** persist, especially where local governance is weak and accountability diffuse.

A durable rights framework should: (i) revise and clarify criminal provisions prone to vigilantism; (ii) professionalize policing and prosecution with specialized hate-crime protocols; (iii) institutionalize minority welfare departments with ring-fenced budgets; (iv) protect heritage sites via cadastral mapping and fast-track courts for encroachment; and (v) mainstream interfaith content and ethics of pluralism in curricula. Continuous, **data-rich monitoring**—through provincial dashboards that track cases, dispositions, and service delivery—can translate constitutional promises into everyday security and dignity for all citizens.

Key Legal & Political Milestones Affecting Religious Minorities in Pakistan (1949–2023)
— timeline highlighting constitutional, statutory, and major incident inflection points.
Download the graph (PNG)

References

Ispahani, F. (2017). *Purifying the Land of the Pure: A History of Pakistan’s Religious Minorities*. HarperCollins.

Human Rights Commission of Pakistan (HRCP). (Annual). *State of Human Rights in Pakistan*. Lahore: HRCP.

International Crisis Group. (2014). *Policing Urban Pakistan*. Brussels: ICG.

Kennedy, C. H. (1992). *Politics of the Judiciary in Pakistan*. Oxford University Press.

Siddique, O., & Hayat, Z. (2008). Unholy speech and holy laws: Blasphemy laws in Pakistan. *Minnesota Journal of International Law*, 17(2), 303–385.

Ahmed, A. S. (2002). *Islam Under Siege: Living Dangerously in a Post-Honor World*. Polity.

- US Commission on International Religious Freedom (USCIRF). (Annual). *Annual Report: Pakistan Chapter*. Washington, DC.
- Haque, E. (2017). Hindu marriage laws in Pakistan: Recognition and challenges. *Pakistan Journal of Legal Studies*, 6(1), 45–62.
- Waseem, M. (2010). *Democratization in Pakistan: A Study of the 2002 Elections*. Oxford University Press.
- Irk, E. (2025). *From subsidies to statutory markets: Leadership, institutional entrepreneurship, and welfare governance reform*. *Lex Localis - Journal of Local Self-Government*, 23(S6), 9549–9566. <https://doi.org/10.52152/s59sjh53>