

Prominent Problems faced by Religious Minorities in Pakistan

~ **Farwa Pirbhoy** (Delivery Associate, LAS), & **Shahzain Danish** (Intern, LAS)

Forced Conversions and the weaponization of Blasphemy Laws against Religiously Marginalized Communities (RMC) in Pakistan are often highlighted in the media sphere as the only problems faced by minorities in Pakistan. However, the Legal Needs Assessment (LNA) conducted by the Legal Aid Society indicated that civil issues are significantly more important than the media lets us believe. Civil issues become burdensome for Religious Minority (RM) communities due to systemic oppression, pre-existing biases in society along with the flawed systems that are in place to help rectify such issues.

The problems faced by RMCs include consumer issues, community resources, and inheritance problems among many others. Complications related to consumer rights were the most common problem identified in our research and were faced by 50.9% of the respondents who took the LNA. Our research showed that only 5 participants identified consumer issues to be a legally actionable problem, thus, many were unaware that problems related to consumption may be legally actionable. The access to justice for religious minorities is often impeded by problems relating to consumer rights such as defective or undelivered goods and services, difficulties obtaining a refund, billing errors, or disputes with utility providers such as K-Electric who provide services and necessities like water, electricity, gas, telephone, or internet. This includes but is not limited to disputes with professionals such as accountants, lawyers, mechanics, and plumbers.

Another prominent problem concerns community resources, which was faced by 42.6% of the respondents, most of whom believed that this problem was a result of religious discrimination. Community resources may include but are not limited to, denial of or unfair access to the benefits of communal property such as land, forest, and water groups. Problems related to land may also include disputes over titles or boundaries, land grabbing, land expropriation, mining, environmental damage, land transfers or building permits as well as land issues with regards to the buying and selling of property. Community resource problems also



include disputes over community resource governance and disputes over fees and revenues (which may further be a hindrance in attaining access to community resources for members of RM communities).

Furthermore, RM communities also face problems relating to familial issues; particularly disputes related to divorce, access to or custody of children, child support, disputes over property division as well as problems related to adoption, or inheritance. Pakistan's laws in relation to marriage and family are favorable to Muslims, and in being so RMCs are often unable to register their marriages easily. Problems also arise if one partner converts their religion, thus making the marriage no longer valid. This further creates complications with regards to child support, property division, and inheritance. Many individuals have also not been able to gain access to rightfully inherited marital property. Familial problems were faced by 63 of the survey's respondents, and they did attribute some of their problems to religious discrimination within the systems in place to deal with these problems along with threatening behavior by the police and other officials in power.

Furthermore, it is important to note that crime arrests were considered to be an individual's bad luck, more often than not, indicating that there existed a fundamental mistrust in the system. Respondents also claimed that

officers often employed behavior that was considered threatening and discriminatory, and were at the receiving end of corrupt treatment by the police, military, a customary authority, or other government officials.

Moreover, housing issues were prevalent in 56 of the total respondents. These constituted problems or disputes with a landlord or tenant, concerning, for example, poor maintenance or the terms of a lease.

The distribution of these problems varies from rural to urban areas. RMC's in major cities such as Karachi have significantly more consumer rights issues compared to rural areas, due to sheer population differences. On the other hand, issues such as community services were present in Larkana (85.7%), indicating that discrimination related to community resources towards RMC's is more present in rural areas as compared to urban. Likewise, issues constituting land occurred mostly in areas such as Larkana and Khairpur, which may be considered rural. Similarly, familial issues presented themselves frequently in rural areas whereas housing issues were more prevalent in urban areas.

The data provided by the Legal Needs Assessment is imperative if one wants to understand the socio-legal problems of the Religiously Marginalized Communities in Pakistan, and hence, subsequently implement relevant and effective solutions.

