

Political participation of minorities and their response A case study of Pakistan

Dr. Muhammad Rashid ¹

¹ Associate Professor of Political Science, Government Shalimar Graduate College, Lahore.

Corresponding Author: m.rashid.prof@gmail.com

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ABSTRACT

Minorities, undoubtedly, play an essential and pivotal part in the socio-political and economic development of any state in the modern world and they must enjoy active participation in the existing political system. The assessment of a nation's prosperity and development can only be measured through the system's honesty and its attitude with all the communities living in it. This research paper is to analyses political rights and the participation of minorities in Pakistani political system. The 1973 Constitution ensures fundamental political rights to all the religious minorities in the country i.e. speech, assembly and association on equal footings without any discrimination. According to the population census conducted in 2017, minorities make up around 4% of Pakistan's overall population. This paper will also examine the challenges facing by the minority leadership and general public about the enhancement of the seats in the Parliament for the resolution of their socio-economic and religious problems. Mechanism should be continuously re-examined and evaluated to ensure effective participation of the minorities of Pakistan in electoral politics

Introduction

Political Participation simply means participation of the common people in the political process by making their opinions and beliefs acknowledged. The term 'political participation' is often used to express actions taken by a citizen to resolve a political issue. It is the fundamental right of every citizen to ensure political participation in the political system of the country. In this way the citizens may raise their voice for the smooth functioning of their government. It will also provide support to minority and underrepresented people including women and other segments of society that may prevent violent political transitions.

Almost all the American citizens take full participation in the US political system either in voting for a new legislator, serving as a jury, or demonstrating in a public protest with this belief that their actions are going to have an influence on American politics in some way. These civic activities are known as political participation, and they are considered vital part of any democracy.

Major Types of political participation

There are many forms of political participation, and the people take active part intentionally or unintentionally in the political process of political system. Some of the most common types of political participation are:

i. Voting:

In democratic governments voting is the most important tool for the general public to ensure their political participation because in this way a person is given legal right to take part in the political process in electing their own representatives. These representatives, later on, act according to the wishes of the people to address their issues.

ii. Protest:

It is the constitutional and legal right of the people in a democratic and legitimate government to protest in favor of their demands. People have right to protest and they make their opinions with the hope that their actions will influence in a particular area of politics.

iii. Public Consultations:

Public consultations offer opportunities to ordinary citizens to get together in a group with their elected representatives to share their opinion, feelings and sentiments and make accountability of their elected officials.

iv. Jury Duty:

Most of the people hesitate to attend jury duty because of complicated nature of cases. It is an important type of political participation on the part of general public because in this way the criminals and culprits are judged by the group of people rather than a single person, such as a judge.

Other than above there are many other forms of political participation which are following:

- Signing a petition on any issue
- Sending a complaint application or letter to any public official
- Highlighting a political issue
- Voluntarily run a campaign
- Having right to Join a political activist group
- Can hold an official position
- Occupying a building in an act of protest

Those activities which involve ordinary citizens expressing their opinions by contributing to the political process are a form of political participation.

Political participation should involve everyone for the smooth and consistent running of political system. A person reaching at the age of eighteen years should be able to cast vote or serve on a jury.

If the people are excluded from full participation in political process, they should be the exceptions, not the rule and their exclusion should be logical requiring special justification. It is based on specific terms not of classes, but of humanity on equal grounds. Within its categories there must not be the concepts of subhuman or superman. All are placed on one level, encompassing the whole of mankind.

Right to Liberty and Equality

The philosophers like Locke, Voltaire, Rousseau, Jefferson and Paine place much emphasis upon the vindication of individual rights to liberty and equality of the advantages; the greatest appeared to be the relative equality of rights.

Thomas Jefferson pronounced in 1776 that all men are created equal. With similar effect the Declaration in 1793, proclaimed: "Governments are instituted to guarantee to men the enjoyment of their natural and imprescriptible rights. These rights are equality, liberty, security and prosperity. By nature and before the law, all men are equal."

In the history of the Great Britain, very few people were granted to vote during the elections because of some legal restrictions. The state was extending the institutions for democracy at that time. First Reform Act was passed in 1832 in Britain. Its general aim was to initiate a closer relation between the parliament and the people.

Even in America there were three principal barriers, besides age, that excluded the majority of the people from the polls, wealth, color and sex. The most objectionable by far of legal

devices employed to deny or abridge the right to vote is the poll tax still in force in 1958 in five Southern states.

Much progress has been accomplished and continues to be made in breaking down the patterns of discrimination. Drawing the conclusion of the above discussion it can be analyzed that normally and customarily the many have been governed by the few for the benefit of the few. Humanity as a general rule has lived under regimes of inequality and privilege. Efforts to the contrary have been rare and exceptional (Lipson, 1964).

International and national human rights laws are crystal clear but monitoring and enforcement are dreadful. Although, the early conception in the west was that only some were equal, the world's people now embrace the idea of universal equality. It can be said that human are on a path toward the goal of recognizing universal equality. Yet it is a slow journey (Blau and Esparaza, 2016).

The purpose of elections

Edmund Burke remarked that the object of their thought is the promotion of the high-quality objectives for which elections are held preventing their inconveniences. Burke means to say that the elections are merely the reflections of the choice of people and to ensure their welfare would be the prime objective of the electoral politics.

John Stuart Mill in his book 'Representative Government' says,

“To what extent forms of governments are a matter of choice.”

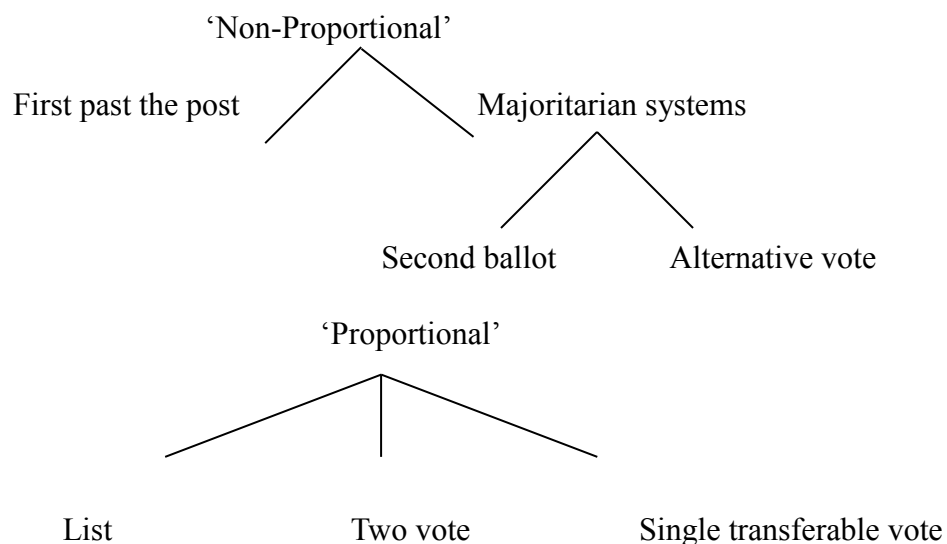
Following are the main purposes of elections:

- a) A Parliament is a legal body reflecting the main trends of public opinion.
- b) Government acts in accordance with the wishes of the majority of the popular vote.
- c) Representatives possessing extra-ordinary personal qualities are elected to perform the functions of government.
- d) Strong, durable and stable government is ensured.

A system must be devised which will substantially meet all the requirements without sacrificing any essential democratic ideal (Lakeman and Lambert, n.d.).

Types of electoral systems

There are five main types of electoral systems



Different thinkers have their specific views on representation of the people. John Adam remarked that parliament should represent the majority of population. (Farrell, 1997).

Types of electorates

Separate electorates

The type of elections in which minorities have right to elect their own representatives separately is called Separate Electorates. When the minorities in any state fear that they are deprived of their basic rights and they are unable to get due representation in state affairs and government, they demand separate electorates.

Separate Electorate for Minorities in Pakistan

Since independence of Pakistan, joint and separate electorate systems have been interchangeably experienced for the religious minorities. Separate electorate was protected for the minorities under the 1956 and 1962 constitutions of Islami Republic of Pakistan. Then in the regime of General Yahya Khan, joint electorate system was introduced in place of separate electorate. Again in 1985 during the regime of General Zia-ul-Haq, separate electorate was granted to religious minorities. In 2002, joint electorate was reintroduced by General Pervez Musharraf, which is still in practice.

Religious Minorities living in Pakistan demanded a separate electorate for their true representation in the Assemblies. The representatives of Minorities Alliance Pakistan spoke at the Karachi Press club about their issues and grievances.

Mr. Javed was of the view,

“We have been victimized and marginalized since long, therefore we demand separate electorate to empower our own people” (Dawn, Aug. 12, 2014).

Joint Electorates

In the joint electorate system, voters belonging to any community are granted to elect their representatives from the same seat among the contesting candidates. The representative of a certain constituency of is accountable to the people of all the communities. All the citizens and voters are politically equal in the eyes of the law and the state. Any community can have more or less number of legislators in the Legislative Assembly. Some of the segments among minorities consider the system of joint electorate quite suitable and favorable but a large portion of minority population supports the separate electorate for the assurance of their political rights. (Khan, 2012).

Electoral Laws

Laws generally are solid and authoritative rules of conduct enacted and enforced by the holders of government authority. Electoral laws may be defined as

“Election laws are those authoritative rules which pertain to the conduct of elections.”

A cross-national analysis of electoral systems resting on these “ideal types” might well read like the proverbial text book on comparative anatomy which begins,

“Elephants and butterflies can both fly, except for the elephants.”

Electoral laws for religious minorities

The legal instruments which sketch out the Electoral laws for religious minorities in Pakistan have clearly been mentioned in the 1973 Constitution of Pakistan for their representation in National Assembly and provincial Assemblies. Article 51 of the 1973 Constitution of Pakistan says;

- 1) National Assembly will consist of 342 members including 10 seats reserved for women and non-Muslims.
- 2) Members to the seats reserved for Non-Muslim minorities and women will be nominated for the reserved seats by the winning political parties through proportional representation system. The share of such seats would be determined on the basis of the total seats won by each political party in general elections.

According to the Act of 2002 promulgated during the President General Pervez Musharraf, the women and non-Muslims would be nominated for reserved seats by the political parties on the basis of proportional representation system.

Political participation of minorities

Societies all over the world enjoy linguistic, ethnic and religious diversity. Elimination of discrimination against minorities needs protection through the promotion and implementation of human rights standards. In 1992, UN Member States took a bold step in this direction when they unanimously adopted the United Nations Declaration on the Rights of Minorities. It offers guidance to States to take concrete measures to strive to achieve equality and participation.

Article 2.3 of this Declaration says, “Persons belonging to minorities should have the right to participate effectively in decision making process”.

Article 2.4 says,

“Minorities should have equal right to institute their own associations.” (*Declaration on the Rights..., 1992*).

Effectiveness of participation

It is in fact, essential for all types of minorities to participate in public affairs and all the fields of life. They must be enabled to combat, social exclusion. Mechanisms are required to ensure minority groups to take active participation in national parliament, the civil service sector including the police and judiciary. They must have a voice in decisions which affect them. Participation must be meaningful and not merely superficial. Generally, the minorities are underrepresented in many countries of the world and their issues and concerns are not adequately be addressed. During its second session in November 2009, the Forum focused on minority issues and their effective political participation. Mechanisms should continuously be re-examined and evaluated to ensure their effective participation. (*Minority Rights: International..., 2010*).

The Constitution of Islamic Republic of Pakistan clearly states that every person living in the state has right to participate in the affairs of state without any discrimination of race, caste, colour, sex and creed. It is essential for the State shall exercise its authority and powers through the chosen representatives of the people... (Constitution of Pakistan Preamble)

The local government institutions shall be established by the state comprising of elected representatives of the certain areas and peasants, workers and women would also be granted adequate representation”(Article 32)

Manifesto: Pakistan Christian Congress

Pakistan Christian Congress adopted six points manifesto in the second Annual General Convention at Karachi in 1986. The leaders of PCC thought that their manifesto is the only solution of the problems of the Christian community. They are demanding their constitutional rights which may lead the Christians towards positive direction.

i. Equal basic democratic rights

The PCC leadership is of the view that 15 million Christians of Pakistan have been deprived of equal fundamental rights as guaranteed in the Constitution of 1973. Therefore, PCC has decided to make utmost efforts to gain equal basic democratic rights of the Christian Community of Pakistan.

ii. Representation proportion to population

The PCC has asserted that after the establishment of Pakistan, the first Legislative Assembly was consist of 48 seats in which four seats were of the Christians and speaker of that Assembly was also a Hindu minority member. Their seats have not been increased with the growing population of the Christians. In the Senate of Pakistan, the Christians have no representation, and it was the violation of basic human right in the state.

iii. Dual voting

The PCC clarifies the fact that separate electorate enables minorities of elect their representatives. In joint electorate the major Muslim Political Parties nominate minority candidates and they do not actually represent their respective minorities.

iv. Opportunities for youth

The PCC demands maximum opportunities of Christian youth in getting education and jobs in Public and Private sector.

v. Share in power

The religious minorities especially the Christians have been deprived of their due share in power sharing and natural resources. The state is not willing to provide opportunities to the Christians to join civil services of Pakistan. There is no Ambassador or Council General from Christian Community in any state of the world.

www.pakistanchristiancongress.org/contents.Php?i=2 accessed

All Pakistan Christian League manifesto

All Pakistan Christian League was formed on July 27, 2011 by Professor Salamat Akhtar with clear agenda and manifesto for a strong and democratic Pakistan. The party also aims to protect the rights of Christian Community of Pakistan. Struggle for the proper representation of the Christians in federal and provincial services would continue. The President of APCL said, "All Pakistan Christian League has always contributed to the stability and solidarity of Pakistan, wishing to make this country as envisioned by Quaid-i-Azam where there is equality for all the communities of society. It is also striving for the unity of the Christian Community, repeal of discriminatory laws, all round development of Christian people, education to all, welfare of Christian youth and right of double vote for the non-Muslims. It also intends to work for the accurate census of Christian Community and at least 10% quota of seats in federal as well as provincial services should be reserved for the minorities." He further remarked that APCL will achieve its targets because of its young and energetic leadership. He has firm resolution to deal strongly with internal and external dangers and threats with unity and continue efforts till eliminate of this curse.

(www.pakistanchristianpost.com/headlineneus.Php?Gnewid=296)

Manifesto: Pakistan United Christian Movement (PUCM)

Albert David is the Chairman of Pakistan United Christian Movement (PUCM) intends to awake the Christians of Pakistan through his political party. He said, "The Christians of Pakistan must raise their voice for 'Election' not 'Selection' all over the country. He also emphasizes that Christians should keenly take part in National Electoral politics to make sure their visibility on the political scenario. He also urged that the Christians must unite themselves under one plat-form. He, while analyzing the Constitution at amendments complained that the seats of Parliament were increased to 446. The reserved seats of women were increased up to 60. But there is no any seat reserved for minority woman and this may lead to further discrimination and humiliation." (*<http://christiansinpakistan.com/pakistan-united-Christian-movement-a-characteristic-christian-political-party/>*)

Weak representation of religious minorities

The representation of religious minorities in legislative assemblies in Pakistan remains weak as ever. The National Assembly was reformed in 2002 during General Pervez Musharraf's government and the seats were increased up to 342. But the reserves seats for minority representatives were remained the same i.e. 10. As per the recent census, the total general seats in National Assembly are 266 whereas the Senate comprises of 96 members after the merger of FATA with KPK. A proposed constitutional amendment bill was moved in January 2014 for to increase the seats of religious minorities in the National and Provincial Assemblies for their adequate representation.

However, this proposal was rejected on the ground that such an increase of seats for the minorities in the assemblies was not possible until a new population census was carried out. The political parties representing religious minorities would not have a chance of being elected in general elections; minorities usually have to cast their votes for liberal candidates. In the province of Sindh, there is a chance for a Hindu minority to be elected directly in the Provincial Legislature Provincial legislature. Under the Constitution, the members of religious minorities for the National Assembly and Provincial Assemblies would be

nominated by the major winning political parties and these nominated representatives have to go along with the line of that specific political party. In such circumstances there is minimal chance to approve a law protecting religious minorities in Pakistan. (*Minorities under attack.....n.d.*).

Religious minorities are politically under represented and least heard when it comes to political and social discourses. The political rights of non-Muslims have never been provided by any Government. Major political parties never give due attention to the political issues of the religious minorities, although all the political parties have mentioned the place and rights of minorities in their respective manifestoes. Voicing of the rights of non-Muslims has not been given priority. Nor do they have adequate representation in the Parliament, Provincial Assemblies and local bodies institutions. The religious minority raise their voice in increasing the seats in the National and Provincial Assemblies.

Majority of the Christians believe that they are excluded from the larger social and political main streams. It can be concluded that because minority groups are not provided maximum opportunities to take part in political decision making process. That is why; they are further marginalized and persecuted by the religious extremists. (Minority Rights....2014).

In 2016, the Federal Minister for Human Rights Kamran Michael has urged his determination to safeguard the rights of minorities in Pakistan. He further said, "Religious minorities have been instrumental in the progress of Pakistan. We will never allow anyone to tread upon the constitutional rights of minorities" (Bakhsh, 2016)

Representation of minorities in Senate

According to 1973, Parliamentary form of Government was suggested in this constitution with a bicameral legislature, comprising the National Assembly and the Senate. The Senate was originally comprised of 45 members which were raised to 63 in 1973 and this number was further increased to 87 in 1985. The membership of the Senate was raised to 100 from 87 during the regime of President General Pervez Musharraf in 2002 and under the government of President Asif Ali Zardari this membership was further raised to 104 through the constitutional amendment in 2011 for the minority members from four provinces. The Christian leadership is not satisfied with 4 reserved seats in Senate rather they demand at least 8 seats in Upper House of the Parliament for their genuine representation of their population.

Recommendations

Laws must be passed to enhance meaningful participation of religious minorities in the electoral politics. All the religious minorities must be given opportunities so that they may actively take part in democratic process going on in the country. The notable leaders and advocates of the minorities especially clergy and church organizations wish to be implemented the following strategies to increase the capability of religious minorities to exercise their political rights:

1. Dual voting rights should be given to the voters of religious minorities.
2. It should be mandatory for major political parties to issue tickets to the members of minorities on general seats.
3. Major political party leaders virtually nominate non-Muslim candidates in joint electorate system but majority of the Christians wish to introduce separate electorate for their own true representation.
4. The reserved seats for religious minorities should be increased at least from 10 to 15 in National Assembly. There must also be a relative increase in the seats of provincial Assemblies and local bodies as well for their effective representation.

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