# IMPACT OF MULTI PARTY ELECTION SYSTEM ON MINORITIES: A COMPARATIVE ANALYSIS OF PAKISTAN AND INDIA



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بِسْمِ اللهِ الرَّحْمَنِ الرَّحِيمِ

رَبِّ اشْرَحْ لِي صَدْرِي وَيَسِّرْ لِي أَمْرِي وَاحْلُلْ عُقْدَةً مِّن لِّسَانِي

# Dedication

*To the religious minorities of my nation, who endure discrimination and prejudice, yet stand resilient in the pursuit of equality and dignity.*

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**In the name of Allah, the Most Compassionate, the Most Merciful,**

I *begin with gratitude to the Almighty Allah for His boundless blessings that have guided and sustained me throughout my journey. It is through His divine providence that I encountered pivotal moments that shaped my academic success. At every juncture, it is Allah who bestowed upon me patience and confidence to pursue my Master of Science degree in my chosen field.*

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# ABSTRACT

**M**ulti-party system is a political system where a diverse range of parties compete political power and representation. The current study aims to explore the effect of multi-party system on minorities rights and political representation in both Pakistani and Indian elections. The study identifies key themes related to minorities rights and their political representation by examining political, social and legal frameworks of Pakistan and India. The findings reveal that multi-party system has led to increased political representation for minorities of both Pakistan and India. In India, the secularist political system has fostered an inclusive environment allowing minorities to actively participate in elections. Similarly, the multi-party system in Pakistan has also shown a positive trend towards minority representation despite of military involvement and marshal laws. Despite these advantages, the study also highlights the issues of under-representation of political polarization of minorities issues for electoral gains. These issues underscore the need for policies and reforms to protect minorities rights and ensure proportional representation. Lastly the study underscores the importance of a robust political environment in promoting minorities rights in more inclusive political landscape.

Key-words: Multi-Party System, Pakistan, India, Minorities, Politics, Rights, Representation, Polarization

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# List of Abbreviations

| Abbreviation | Meaning |
|---|---|
| AIMMM | All India Muslim Majlis-e-Mushawarat |
| AL | Awami League |
| ANP | Awami National Party |
| BJP | Bharatiya Janata Party |
| CJP | Chief Justice of Pakistan |
| CPI | Communist Party of India |
| FPTP | First Past the Post system |
| ICP | Indian Communist Party |
| INC | Indian National Congress |
| INC(I) | Indian National Congress (Indhra) |
| JI | Jamaat-e-Islami |
| JP(S) | Janata Party (Socialist) |
| JP | Janata Party |
| MMA | Muttahida Majlis-e-Amal |
| MQM | Muttahida Qaumi Movement |
| NDA | National Democratic Alliance |
| PML | Pakistan Muslim League |
| PML(N) | Pakistan Muslim League (Nawaz |
| PML(Q) | Pakistan Muslim League (Quaid e Azam Group) |
| PNA | Pakistan National Alliance |
| PPP | Pakistan People's Party |
| PPP | Pakistan People's Party Parliamentarians |
| PSP | Praja Socialist Party |
| PTI | Pakistan Tehreek-e-Insaf |
| TC | Trinamool Congress |
| VHP | Vishwa Hindu Parishad |

# INTRODUCTION

## I. Background of the Study

Political parties play a crucial role in shaping democracies around the world. A political party is a group of individuals with shared political ideology having common values and goals. These parties attain political power by providing a platform for citizens with similar political ideologies where they can collectively advocate their interests. Today several types of party systems exist throughout the world including single party system, two party system and multi-party system. In a single party system only one party has the right to form a government and is mostly based on already existing policies and constitutions such as North Korea and Vietnam.

Unlike single party system, two-party system is a political system where two major parties dominate electoral landscape and compete for forming a government while the other parties have minor influence on the elections. Contrary to the above two, a multi-party system is a political system where a diverse range of parties compete political power and representation. A multi-party system empowers its citizens by offering a diverse range of political ideologies, providing voters with a wide array of options to choose from. In such a system, citizens can vote for a party that closely aligns with their specific political beliefs, ideologies, and interests, ensuring a more personalized and meaningful democratic experience. Contrary to a single party system where the governing party eradicate competition leading to dictatorship, a pluralist party system enforces competition and enhances democratic process.

The political parties of a country link the masses to the government and their affect varies with the way in which these parties function. Malachova (2022) argues that parties diversify the interests of citizens and countries with broader range of parties have high rate of democratic

progress. According to Anderson (2009), a competitive party system in a country facilitate democracy, however unhealthy competition may hinder democracy. Similarly, a number of political party characteristics can determine the democratic process. For instance, factors such as low polarization, high institutionalization and moderate fragmentation in political parties can significantly democracy (Basedau, 2007). For instance, a study conducted on 99 third world countries, shows that political party system is not all associated with democratic process (Karvonen & Anckar, 2002). Contrary to the listed, some studies on western European nations have suggested that a single party system may sometime gives decades of power without hindering democracy itself.

There are numerous advantages of multi-party system which contribute to a more dynamic and inclusive political state. First, citizens have a broader spectrum of political ideologies allowing them to vote for a representative that best suits their interest and goals. Secondly, they allow a broader range of ethnic, cultural and religious representations which allows minority to select a party that better advocates their distinct values and interest (Pitkin, 1972). Lastly, the enhanced check and balance by opposition makes it possible for a more transparent and accountable form of governance (Fahruddiana, 2023).

Despite the mentioned advantages, there are some cons of multi-party system. The present of diverse range of political parties can lead to political polarization where extreme ideologies are polarized which in turn leads to exploitation of minority rights. Moreover, some of these political parties are led by powerful elites who control the party's agenda and influence decision making. The presence of multiple parties with opposite agendas may hinder the democratic government when these parties are unwilling to come to an understanding. Furthermore, the different agendas and group thinking of multi-parties may be inadequate to represent the opinions and rights of the

diverse groups in the countries. Other cons of multi-party systems include delay in addressing pressing issues, lack of cohesion, difficulty in forming a stable government and lack of mandate in coalition governments.

It has been decades since religion has proved to be a major factor in polarization in multi-religious societies rather than unified societies. In some countries where a single religion has dominated the society, multiple sects act as a factor of Polarization. Minorities in Pakistan and India represent a significant demographic facet of these South Asian nations, each characterized by its unique blend of religious, linguistic, and cultural diversity. The religious minorities in Pakistan and India play a vital role in the country's social fabric and contribute to its rich tapestry of traditions. However, the treatment and status of minorities in both countries have been subjects of considerable scrutiny, with issues of discrimination, communal tensions, and political representation being central to the discourse surrounding minority rights and their broader societal integration.

According to Minority Rights Group International (2019), majority of the Pakistani population (96.28%) follow Islamic faith while 3.27 percent belongs to minorities including Christians, Sikhs, Hindus. The sense of exclusionary nationalism poses dire consequences for these minorities. The interplay between religion and politics in Pakistan has been intricately molded by a web of complex historical and social factors. According to Rais (2007), constitutional Politics and true democracy serves both in the interest of majority and minority however such politics and illusory democracy have never been adapted in Pakistan posing as a threat to Minorities. According to Article 51 (4) of constitution of Pakistan, ten seats are reserved for Minorities in National Assembly and 23 seats in Provincial Assembly in Pakistan. However, as Raina (2014) states, representation does not always serve in the interest on minority and when it comes to passing a

bill serving in the interest of minorities, it is usually ignored by the majority and other policy-making bodies.

Similarly, in the 95th amendment to the Constitution of India, provisions were made to allocate 131 seats out of the total 888 seats in the Lok Sabha for minorities. The total number of minorities seats in Rajya Sabha are not fixed but as of 2020, 22 Muslims were members of Rajya Sabha out of 245 seats (Farooqui & Sridharan, 2020). Since independence, religion has been used as a weapon in politics to mobilize the voters in India for gaining power in Governance. According to Pande (2003), there is an uneven distribution in Indian Politics and the minorities have reserved seats below their expected share on basis of population. Furthermore, this low minority seats have dire effects on minorities and only works for the religious majority of India. The presence of diverse minority communities in both Pakistan and India contributes to the rich cultural tapestry and religious diversity of these South Asian nations. In Pakistan, where Muslims constitute the majority compared to Hindus, Sikhs, and Christians, the dynamics shift in India, where Hindus hold the majority while Muslims become the minority.

## II. Problem Statement

Curşeu & Schruijer (2022) suggests that though multi-parties engage in dealing with important societal challenges, no casual claims can be derived without cross-cultural representation of data. Studies have been conducted to investigate the situation of minorities in both Pakistan and India. However, limited insight is available to report the impact of multi-party system on minorities rights and representation. Additionally, the previous studies lack in its ability to provide cross-cultural insight on the impact of multi-party system on minorities of Pakistan and India. The current study will add much needed insight to the impact of multi-party system on

minorities rights and representation in Pakistan and India. Moreover, the study will provide cross-cultural insight regarding the impact of multi-party system on minorities of Pakistan and India.

## III. Significance of the Study

The current study aims to find the impact of multi-party systems on minorities in both Pakistan and India. First, the study explores the effect of multi-parties on minorities rights in both countries. Secondly, the study aims to provide insight on minorities nomination of candidacy in elections. Lastly the study investigates the differences between the impact of multi-party system on minorities in both countries. The study helps in finding out if multi-party systems have a significant effect on minorities of Pakistan and India. Moreover, the study gives cross cultural insight on whether the two countries differ regarding the effect of multi-party systems on minorities.

## IV. Objectives of the Study

a) To explore the impact of multi-party system on minorities rights of Pakistan and India.

b) To investigate the role of multiparty system on minorities representation in elections.

c) To analyze significant differences in the impact of multi-party system between minorities of Pakistan and India.

## V. Research Questions

a) What is the impact of multi-party system on minority rights in Pakistan and India?

b) How has the adoption of a multi-party system in Pakistan and India influence the minorities representation in elections?

c) What significant differences exist when assessing the impact of a multi-party system between minority groups of Pakistan and India?

## VI. Delimitations of the Study

1. The Data collected in the current study is be based on sources available in digital libraries, articles and online archives therefore future studies should focus on interviews with the minorities of Pakistan and India.

2. This study exclusively focuses on Pakistan and India, where Muslims constitute the majority in Pakistan but a minority in India, while Hindus are a minority in Pakistan but form the majority in India. Future research endeavors should expand their scope to encompass additional countries, thereby assessing whether similar impacts are observed or if other factors contribute to these effects.

## VII. Literature Review

Minorities are a significant aspect of the social fabric in diverse societies worldwide. These groups typically consist of individuals who, due to factors such as race, ethnicity, religion, language, or cultural background, constitute a smaller proportion of the total population within a particular geographical region or nation. While minority status is primarily defined by numerical representation, it encompasses a broader range of characteristics, including distinct cultural practices, traditions, and identities (Valentine, 2003). Minority groups often face unique challenges, including potential discrimination, marginalization, unequal access to opportunities. According to Herbert (1974), Minorities often experience both lower employment rates and added workplace pressures. Additionally, they frequently encounter significant barriers in accessing essential necessities, including adequate food, healthcare, and housing. According to Kaul and Vajpeyi (2020), the consciousness of minorities to preserve their identity brings them in conflict with the majority reinforcing their views of non-conformity and national image.

According to Green (1995) the rights of states internal minorities acts in one way or another against the rights of majority. It is essential to clarify that there are two types of rights. First are the rights of an individual regardless of their membership to minority or majority while second are the rights of an individual because he is a member of certain minority group. According to Kymlicka (1995), a democratic system should not only give equal rights to the minorities but also focus on the special rights which they may acquire due to his membership of minority group. This is the main factor why Kymlicka stresses on reservation of seat in government alongside giving equal rights to the minorities. According to Dahl (1989), factors such as minority rights and minorities representation in government are basic principles of a democratic government. Studies suggest that a democratic system should foster a tolerating environment for the minorities and respect its ethnic, cultural and religious diversity (Inglehart & Welzel, 2005). Similarly, Fish and Kroenig (2009) argues that the rule of law and civil liberties are crucial factors for a democratic system protecting its minorities.

The dynamic interplay between politics and minority rights holds considerable significance, shaping policies, representation, and societal inclusion, and highlighting the critical role politics plays in addressing the unique challenges and needs of minority communities. The degree to which political parties respond to minority mobilization has received comparatively less systematic scrutiny than the effects of minority mobilization on electoral processes and government outcomes (Kittilson & Tate, 2005). According to Kymlicka (1995), a liberal democratic system should ensure the political representation of its minorities. Kymlicka argues that a democratic system should not reserve seats for its minorities but additionally reserve proportionate seats so they can influence policy making and advocate their rights.

Sartori (1976) suggests that in a functional political system, having at least two political parties is essential to offer voters choices, policies, competition, and an alternative to the ruling party. A study conducted by Osei-Hwedie (1998) in Malawi and Zambia reveals that prior to 1994, politics in the region were predominantly divided between two major parties. However, during the 1994 elections, multiple parties emerged, with tribal support for these multi-party systems, which were anticipated to enhance the living standards of the population. A multi-party system significantly contributes to the minorities representation. Lijphart (1999) argues that the multi-party system uses method of proportionate representation which significantly contribute to the minorities participation and representation in elections. Similarly, Norris (2004) states that the allocation of seats for minorities in proportionate representations gives the minorities a voice to advocate for their rights and interests. Moreover, multi-party system proves advantageous when minority parties engage in coalitions with independent candidates or other smaller parties to establish a government.

In 2010, the Labor Party of Australia formed a coalition with minority party Greens and the Independents becoming a majority (Brenton, 2015). Similarly, the coalition government in Netherlands which included minority parties to ensure their interest in policy making (Andeweg et al., 2009). Other such example that indicate the minorities representation allowing them to have a significant say are Belgium (Maddens, 2014) and Germany (Linder & Mueller, 2010). These dynamics reflect the intricate web of political relationships and negotiations that underlie the democratic process, showcasing how diversity and multiplicity of parties can foster collaboration and consensus-building to ensure effective governance.

Multi-party systems typically provide increased opportunities for diverse groups to engage in political participation, thereby enhancing the prospects for minority communities to be

represented by candidates who identify with their backgrounds and interests (Zwan, Lubbers & Eisinga, 2019). Studies also suggest that multi-party system contribute to mobilization of minorities as they also promote moderation and consensus-building as parties seek to appeal to a broader range of voters (Alabi, 2023). Given the ability of multiple parties to field ethnic minority candidates, the impact of nominating such candidates may differ depending on the specific party, location, and circumstances (Zingher & Farrer, 2014). According to Zingher and Farrer (2016), multi-party system has allowed the parties to nominate minority candidates which leads in 10% bump to minority participation in elections. However, despite this increase in participation the long-term implications of the minority nominations are unknown.

Though multi-party systems have great benefits for minorities of the state, Politicians with extreme political views tend to display lower levels of tolerance toward diverse groups and differing opinions increasing the chances of conflicts within the state (Prooijen & Krouwel, 2019). Minority parties can face difficulty in acquiring support and utilizing resources which significantly affect the political participation (Rielly, 2006). According to Powell (2000), the inherent fragmentation in multi-party system leads to an unstable government which causes unsustainable advocacy of minority rights. One example is India where the fragmented nature politics resulted into failure of making stable government through coalition (Chhibber & Kollman, 2004). Similarly, in Israel the multi-party system has enables the representation of minorities but also led to political fragmentation and frequent elections (Arian, 2005). Moreover, the multi-party system in Lebanon has exacerbated social division leading to increased tension and violence among different sections (Salamey, 2014). Other studies suggest that multiparty systems contribute to polarization when parties try to get votes by implying extreme ideologies (Maoz & Topcu, 2012: Hansen & Pedersen 2017).

Since independence in 1947, Islam played a pivotal role in the political movement that led to the creation of Pakistan, and it continues to occupy a central position in the country's post-independence political discourse. The Two-Nation Theory, led by Muhammad Ali Jinnah and the All-India Muslim League, served as a foundational concept leading to the creation of Pakistan in 1947, emphasizing the distinct identities of Muslims and Hindus in British India. This two nations theory has led to increased polarization of religion since independence. This increase in political and religious polarization has significantly affected both civil and minority rights (Rais, 2007). Fuchs and Fuchs (2020) states that though the media portrays peaceful lives of Pakistani minorities, they face discrimination, violence and exclusion of regular basis. Similarly, Khalid and Rashid (2019) states that unlike the majority (Muslims), minorities of Pakistan have unpleasant lives and face inequality.

Similarly, Alam (2016) reports that despite the minorities of Pakistan were promised equal rights by its founder Muhammad Ali Jinnah, they are excluded and marginalized on daily basis. Moreover, the liberal leaders remain cautiously silent due to the constant, driven by the fear of death from radical Islamists. One factor that contribute to the exclusion of minorities is the ethnic provocation of politics by majority to preserve identity (Hashmi, 2020).

Contrary to the above studies, Khalid and Anwar (2018) argues that since independence, Pakistan has always focused on minorities rights and taken a number of steps for minorities. First, the government of Pakistan has given priority to fundamental human rights by establishing a committee for protection of minority rights. Secondly, they are free to worship their religion as and build their places of worship. Lastly, quota system has been assigned to minorities in government jobs and scholarships. Despite of this contradiction among studies, the topic of

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minorities has remained suppressed in Pakistan and not enough studies are available on their rights or their participation in politics.

Regarding Minorities of India, Rule and Zimmerman (1994), conducted a cross-cultural study and reported that there is an under representation of minorities in Politics of India. The reasons for this underrepresentation might be that minorities are facing discrimination against the minorities or they minorities cannot afford the financial cost of representation. Pande (2003) argues that legislature is passed by the majority in Indian constitution and this under representation of minorities doesn't work in their interest. According to Chin and Prakash (2011), Government of India has Increased the seats for minorities and this increase has proven significantly fruitful for the scheduled castes and tribes however the religious minority remains neglected.

In 2014 Indian politics faced a turning pointing when Baharat Janta Party secured majority seat and Narendra Modi became the new Prime Minister. According to Kim (2017), the Modi government has highly affected the minorities and is only working for making Hindu Rashtra (a Hindu State). One key factor involved in this phenomenon is the populist majoritarian vies of its leaders (Kaul & Vajpeyi, 2020). Moreover, Kim (2017) argues that the Modi has opposed article 370, which gives Jammu and Kashmir a special status and also passed a Bill to build a mandir in place of Babri Masjid. Kim (2017) further states that though the initial manifesto of BJP was to equal rights for both the majority and the minorities, it has heavily undermined the rights of minorities since it gained power. In short, its actions have been internationally criticized for marginalizing religious minority communities and eroding their rights (Green, 2019).

**VIII. Gap in Research**

Extensive literature exists on the advantages of multi-party systems, with some studies assessing their impact on minority rights. While studies have also reported the impact of multi-party systems on minorities in India, no similar studies have been conducted for Pakistan. The current study aims to explore the impact of multi-party systems on minorities in both Pakistan and India and analyze any significant differences between the two countries.

**IX. Theoretical/Conceptual Framework**

Minority Rights Theory (Kymlicka, 1995)

Minority rights theory emphasizes the critical need to protect the rights and interests of minority groups within democratic systems. According to Kymlicka (1995), it is essential for a democratic system to acknowledge and respect the identity and rights of minorities. The state should not only acknowledge their universal human rights but also focus on special rights they may require to preserve their cultures, traditions and languages. The theory argues that the minorities of the state are not in opposition to the majority and should be harmoniously integrated in liberal democratic system. Additionally, the policies of the state must support their inclusivity and integration without forcing them to lose their cultural identities. It emphasizes the protection of minorities from discrimination and marginalization, ensuring their equal participation in political processes, and promoting their overall well-being. Moreover, the theory states that national minorities should have a degree of self-determination and autonomy including the right to govern themselves in certain areas, such as education and cultural affairs, to preserve their culture and language. Minority rights theory further advocates for group-differentiated rights, which are rights tailored to the specific needs and circumstances of minority groups. These rights

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can include cultural protections, language rights, and the right to participate in decision-making processes that affect them.

Minority rights theory provides an accurate framework to shed light on the situation of minorities of Pakistan and India. Kymlicka argues that culture is a crucial aspect of minorities and state should recognize preserve the culture of their minorities. Kymlicka emphasized the protection and preservation of minorities language in a democratic system. Kymlicka further argues that it is crucial for a democratic system to ensure group rights of minorities for collective interests and needs of minorities. Additionally, Kymlicka stressed that minorities representation and participation in of significant importance in a democratic system and that they should have some degree of autonomy and self-government within a larger political framework. Lastly, Kymlicka emphasized the importance of reserved seats as part of political representation for minorities.

The application of minority rights theory will facilitate an in-depth examination of the impact that the political party system, party organization, and electoral framework have had on the protection and exercise of minority rights. The data will be analyzed through the lens of Minority Rights Theory. Instances of discrimination and violations of minority rights will be identified and patterns and themes will be aligned with the principles of minority rights. The theory will further identify if both states align with democratic values by assuring proportionate seats to their minorities.

## X. Research Methodology

The study is qualitative in nature based on data collected from secondary sources such as government archives, research articles, books and news articles. Data related to the study was

collected using specific keywords and grouped together according to the research questions. Moreover, thematic analysis was used to derive meaningful insight from the data.

## XI. Research Design

The study is qualitative research design and is based on thematic analysis where data is collected from secondary sources including officials and administrative. Other sources of data collection for the current study include scholarly article, books and news article. The data was systematically organized into thematic categories, revealing hidden meanings and fundamental concepts inherent to the research context.

## XII. Operational Definitions

- Multiparty System: According to Maurice (1954), a multi-party system is a form of political system in which more than two political parties run for election to gain control for politics. Such political system is characterized by a large number of political parties with diverse range of ideologies and political interests.
- Minorities: According to Louis (1945), minorities are groups of people who are singles out from the majority regarding their unequal treatment while these groups regard themselves as a target of collective discrimination.

## XIII. Population/Area of Research

Since the current study explores the impact of multi-party system on minorities of Pakistan and India, the population and area of research includes minorities of the Pakistan and India. Only data relevant to these two countries will be analyzed.

## XIV. Procedure

The study will be carried out with the permission of the department and approval will be taken from Research and Ethics committee. Data will be collected from news articles and online data bases such as google scholar. Specific key (e.g. Politics in Pakistan, Politics in India, Role of minorities in Pakistani election) will be searched and only relevant articles will be analyzed. Thematic analysis will be used reveal hidden meanings and fundamental concepts inherent to the research context. Firstly, the relevant data will be thoroughly studies and data related to research questions will be labelled. Secondly, coding of data will be done and similar data will be grouped together. Thirdly, that data will be analyzed, cross-checked against the research questions and adjusted if needed. Fourthly, data charting will be done by creating tables of the grouped data. Lastly, the tables will be interpreted by considering a broader context of the tables relevant to the research questions.

## XV. Organization of the Study

### Chapter 1: Introduction of Research

The first chapter provides a comprehensive introduction to the current study with the aim to provide a concise overview. Moreover, statement of problem and significance of the study along with Research Objectives and Research Questions are given. Additionally, the chapter delves into a thorough literature review of existing research that contribute to the understanding of the problem. Lastly methodology is given which outline the research approach and technique employed in the current study.

### Chapter 2: Dynamics of multi-party system and minorities rights in Pakistan and India

The 3rd chapter provides the origin and composition of Minorities in Pakistan and India. Additionally, the chapter explores the challenges faced by minorities in pre- and post-partition British ruled India. lastly the chapter evaluates the multiparty system in both Pakistan and India.

**Chapter 4: Navigating the spectrum: the role of multiparty system on minorities rights of Pakistan and India**

Chapter 4 is based on our first research question which explores the situation of minorities in Pakistan and India. The chapter first discusses the legal framework regarding minorities. Next, the chapter analyzes the challenges faced by the respective minorities and crimes committed against them. Lastly the chapter investigates the role of Pakistan's and India's judiciary in protecting the rights of their respective minorities.

**Chapter 5: The Influence of multi-party system on minorities representation in Pakistan and India**

The 5<sup>th</sup> is based on our second research question which investigates the role of multi-party system on minorities representation in Pakistan and India. Additionally, the study reports case studies of minorities participation in politics of both countries. Lastly, the study analyzed the socio-political outcomes of multi-party system for minorities of Pakistan and India.

**Chapter 6: Major findings, Recommendations and Conclusion**

Chapter 6 will be "Conclusion" which will include summary of the research findings, limitations of the current study, suggestions for future researches, and implications the current study. Additionally, our third research question is discussed however it is also discussed in chapter 4 and 5 respectively.

# CHAPTER 1

# DYNAMICS OF MULTI-PARTY SYSTEM AND MINORITY RIGHTS IN PAKISTAN AND INDIA

## 1.1 Understanding the Origins and Composition of Minorities in Pakistan and India:

Pakistan and India are homeland to diverse communities, inhibited with religious, cultural and ethnic diversity for more than a millennium. The area has witnessed the rise and fall of many civilizations which has a significant influence on the region's religious and cultural landscape. Hinduism flourished during Indus valley civilization, while the rise of Maurya led to prominence of Buddhism. Similarly, the Mughals ruled the Indian subcontinent from 16th to 19th century in which Islam gained prominence. During the Mughal empire the Indian subcontinent witnessed coexistence and harmony among many religions including Muslims, Hindus, Sikhs, Christians and Buddhists.

The partition of British ruled India into Pakistan and India was a turning point for the minorities of both countries. Hindus were living as a majority in the British ruled India consisting 66.02% of the total population. Additionally, Muslims were living in minority (2nd majority) consisting of 23.81% of the total population while the rest 10.17 were Buddhist, Christians and other religious minorities. The British ruled the Indian subcontinent through Sir J. Lawrence's policy of "Divide and Rule" which led to riots and hatred among Hindu and Muslim communities of Indian subcontinent (Stewart, 1951). Moreover, Nehru's ignorance of separate electorates further escalated this violence (D'Souza, 2010). By 1940, Mr. Jinnah realized that it necessary for Muslims to have a separate nation where they are in majority and practice their fundamental rights

(Chawla, 2022). The partition of Indian subcontinent led to the mass immigration of Muslims from India to Pakistan and Hindus from Pakistan to India. Researcher argue that more than 16 million people migrated between border during 1947, in which 2 million were murdered by attacking mobs (Ansari 1995).

Table 1
Religious composition of Indian subcontinent Before and After Partition

|  | Census of 1941 | | Census of 1949 | |
|  | Number | Percentage | Numbers | Percentage |
|---|---|---|---|---|
| India | 308.9 | 100.0 | 356.2 | 100.0 |
| Muslims | 40.7 | 11.9 | 39.6 | 11.1 |
| Non-Muslims | 278.2 | 88.1 | 316.6 | 88.9 |
|  |  |  |  |  |
| Pakistan | 70.1 | 100.0 | 79.6 | 100.0 |
| Muslims | 53.8 | 76.7 | 66.3 | 83.3 |
| Non-Muslims | 16.3 | 23.3 | 13.3 | 16.7 |

Note: Numbers are in millions, Source: Davis (1949)

According to Malik (2002), around 14 million migrated across the borders with 8 million Muslims moving to Pakistan. Despite the fact that Partition plan was discussed prior to partition, the architects of the plan were unaware of the forthcoming holocaust. According to Ali (2019), around 2 million individuals lost their lives to either the rioting mobs or to the miserable situations of refugees camps. Some political scientists have argued that the communal violence during and after partition was a result of negligence of British authorities, Indian National Congress and Muslim league (Brass, 2013) while others believe that these riots were a plan for the partition rather than consequences (Pandey, 2001).

The year 1947 witnessed a tremendous amount of bloodshed and human suffering in both Pakistan and India. The savagery by attacking mobs included but not limited to killings, rapes, looting, burning houses and abduction of hapless women on both sides. The words of Nehru (Stop

this madness), Jinnah (what have I done) and Liaqat Ali Khan (Our people have lost control) shows how poorly the situations were handled. The partition of Indian subcontinent resulted in economic cost in both Pakistan and India. It is estimated that more than 11 million acer of fertile land was lost by the immigrants on both sides (Akbar, 1985). Hindus and Sikhs migrated from Karachi where for trade and banking which resulted to tons of cotton pilling up in warehouses (White, 1949). Moreover, Indian leader were sending trainloads of Muslims to Pakistan from all over India to further damage the economy (Hajari, 2015). Another setback to Pakistan's economy was the refusal of Hindus and Sikhs of Pakistan to serve in civil services (Moulton et al., 1972). Accounts of mass Murders, casualties, rapes and robbery were reported in both Pakistan and India which affected the politico-economic status of both countries. (See table 2)

Table 2

Violence committed and people affected during and after partition

|  | Pakistan | Reference |
| --- | --- | --- |
| People Displaced | More than 16 million | (Khalidi, 1998) |
| People Killed by attacking mobs | Around 2 million total 0.5 million in August 1947 | (Ahmad, 2002; Hansen, 2003) |
| People Died due to hunger and disease | Over 1 million | (Bhalla, 2022) |
| People Injured | 10s of thousands Estimated number is unknown | (Bhalla, 2019) |
| Women abducted | 100,000 | (Talbot, 2008) |
| Women raped | 83,000 | (Ghosh, 2013) |

Note: The table shows the estimated number of people affected by specific crimes.

The minority communities of Pakistan and India are constantly migrating to other countries and their numbers has significantly decreased. According to Qadir (2022), this migration has caused decrease in Sikh community in Pakistan from 6 million to 4 million since 1947. According to the census of Pakistan (2017), the total population of Pakistan is 207.6 million with 200.3 million Muslims and 7.3 million minorities and other marginalized communities. Similarly, according to census of India (2021), the total population is around 1393.4 million with 1000.0 million Hindu, 180 million Muslims and the rest consisting of other religions (See table 3).

Table 3

Religion wise Population in Pakistan and India

|  | Total | Muslim | Hindu | Christian | Sikh | Buddhist | Ahmadi | Other |
|---|---|---|---|---|---|---|---|---|
| **Pakistan (2017)** | | | | | | | | |
| Total | 207.6 | 200.3 | 3.59 | 2.64 | -- | -- | 0.19 | 0.88 |
| %age | 100 | 96.4 | 1.7 | 1.2 | -- | -- | .092 | 0.42 |
| **India (2021)** | | | | | | | | |
| Total | 1210.9 | 172.2 | 966.3 | 27.8 | 20.8 | 8.4 | -- | 15.2 |
| %age | 100 | 14.2 | 79.8 | 2.3 | 1.72 | 0.7 | -- | 1.2 |

Note: Population is given in million while "%age" indicates the percentage of population.

According to table 3, Muslims constitute the majority of population in Pakistan however they are in minorities in India. Similarly, Hindus are the majority constituent in India while they are the minorities in Pakistan. The table also indicates that both countries are also homeland for a number of other religious minorities including Christians, Sikhs, Buddhists, Ahmadis and other religions. Unlike Pakistan where minorities comprise 3.6% of the total population, India has homed 20.2% minorities.

**1.2 Minority Rights and Challenges in Post-Independence India and Pakistan:**

After independence of Pakistan, Muhammad Ali Jinnah appointed Jogendar Nath Mandal as a law minister to Pakistan's first cabinet in an effort to signal religious pluralism. However, in 1950, mandal reported that the Hindu community of Pakistan are increasingly migrating to India and that with this rate on migration, it's a matter of time that Hindu will be left in Pakistan. Mandal further stated that he insured the Hindus that to wait for a few weeks however the Muslims of Pakistan don't want any Hindu living in the state. Eventually Mandal left Pakistan similarly as the prominent Muslim members of India migrated to Pakistan. Over time, Mandals prediction regarding the plight of Pakistani Hindus became true and Pakistan transformed from a religiously secular state to exclusive one.

The mass migration of Hindus to India and Muslims to Pakistan significantly decreased the number of religious minorities in both states. Additionally, the mass ethnic and religious cleansing in both Pakistan and India further contributed to the increased migration and decrease of minorities in each state. Though preoccupation with religious identity is often associated with post-independence however its root goes back to the colonial era of British rule. With the introduction of elections sub-continent, the size and growth of Muslim became a matter of debate. This was the main factor why Sir Agha Khan convinced the British government for reserved seats for Muslims to protect their identity.

Similarly, some prominent Hindu's analyzed the consensus and saw a significant number of Hindus converting to Christianity and Islam. In 1909, Upendro Nath Mukerji disseminated a pamphlet named "Hindus: A Dying Race" expressing her fear that in 420 years Hindus religious will have diminished. This fear of conversion led to the creation of re-conversion movements such as Shuddhi movement and Bharatiya Hindu Shuddhi Mahasabha. On the other hand, Muslim

leader responded with the creation of Tableegh with the aim to spread Islam in Hindus. In 1920, Hindus creation of Gaurakshini Sabhas to ban Muslims and Christians from slaughtering cows led to riots among Muslims and Hindus of British ruled India. Additionally, the hostile behavior of Congress towards the Muslims compelled Jinnah for creating a separate homeland for the Muslims of British ruled India. However, this religious based partition of Pakistan and India led to the mass migration and massacre of minorities in both states.

With the announcement of independence in June 1947, riots among Sikhs, Hindus and Muslims started and continued for years after independence. Among the religious violences across subcontinent is the case of Punjab where the clashes between Sikhs and Muslims resulted into ethnic cleansing. On one side where Sikhs wanted Muslims out of Punjab in an attempt to create their own homeland while on the other side Muslims wanted Punjab for themselves. Harkishan Singh Surjeet pointed out the involvement of Sikh leaders in this bloodshed saying that it was completely dreadful and even the maharaja of Patiala was involved in provoking this conflict. Similarly, Mater Tara Singh a prominent Sikh leader took out his sword and said that the motherland is asking for blood and we will satiate its thirst with Muslim blood (Carter, 2012). Conversely to there, other studies have reported that Muslim league was responsible for starting the violence between Muslims and Sikhs because they wanted Punjab for themselves (Ahmed, 2012). Through these violences and migration, the Muslim population of Punjab decreased from 497 to less than 0.52%. Though numerous violences erupted throughout Pakistan and India however noteworthy cases where similar bloodshed was seen include Amritsar and Punjab.

**1.3 Minorities of Pakistan and Practice of Separate Electorates:**

Pakistan which is enriched with both cultural and religious tapestry the minorities have played under-represented role in political landscape throughout its history. The implementation of separate electorates is often seen as a mechanism to further marginalize the minorities rather than empowering them. Though the process of Islamization started through the adoption of Objective Resolution in 1949, much was aided during the Martial law period by General Zia Ul Haq. During his 11 years of martial law, General Zia exploited Islam to gain support from religious figures which led to the marginalization of Pakistan's minority (Shah, 2012). Additionally, introducing separate electorates for the minorities through 8$^{th}$ amendment further divided the Pakistani nation into Muslims and non-Muslims (Rizvi, 2002).

According to Mustafa et al. (2021), the Muslims of British Raj demanded separate electorates because they were significant in numbers however the religious minority of Pakistan didn't demand separate electorates as their number were not prominent. Moreover, the partition made the Muslims of Pakistan a pre-dominant majority and it was the minorities who were to decide for joint or separate electorates. The system of separate electorates was introduced in Pakistan through the constitution of 1956 and 1962. However, it was revoked in the regime of general Yahya Khan. In 1977, Pakistan Muslim league along with other religious parties made an alliance and demanded to separate electorates. According to Khan (2009), this demand was made because PPP was considered as a liberal party and the alliance thought PPP was getting most of its votes from the religious minorities of Pakistan. General Zia not only overthrew PPP government in 1977 but also declared separate electorates for minorities through "Representation of the people Act 1976". The implementation of separate electorates was very unjust to the religious minorities of Pakistan. RM Lawrence who was standing from minority election termed the separate electorate

as an extremely unfair system. Moreover, another minority candidate Shamshad Sanaullah reported in an interview with 'the New York Times' that he couldn't campaign because of the scattered population of Christians.

To strengthen PPP's position in general elections, Benazir Bhutto announced dual votes for religious minority through electoral reforms of 1996. Moreover, it was made mandatory for the voters to show identity card before voting. The idea of two votes was welcomed by the minorities as it gave them a choice to select a representative from general seats. However, these reforms were criticized by religious parties by stating that non-Muslims should not be allowed to vote on general seats. Benazir Butto couldn't politically defend these electoral reforms and had to surrender to pressure of opposition. Though the reforms were giving the minorities the right to vote in general elections, their right to be treated as equal citizen and represent in general elections remained unattended.

This year 1998 saw another end of democratic government when General Pervez Musharraf overthrew PML(N) government and declared Marial law. Despite the fact that Pakistan was under martial law, Musharraf made numerous advances which not only strengthened the democratic institutions but also empowered the religious minorities of the state. He reinstated the system of joint electorates for non-Muslim minorities except Ahmadis. Beside given the right to vote and represent in general elections, minorities were also given reserved seats. These reserved minority seats cannot be voted directly but rather selected by election commission from the list submitted by representative parties. However, it is compulsory for a party to avail 5% seats in the general elections to qualify for the reserved seat.

In Pakistan neither the system of separate electorate nor joint electorates were solution for the effective participation of minorities in politics and decision making. According to Kymlicka

(1995), a good democratic system should have proportionate representation of minorities in politics. However, the proportionate participation of minorities was not possible in separate electorates nor joint electorates in Pakistan. One main issue that was encountered by the minorities of Pakistan in separate electorates was that due to their dispersed population they were not able to campaign to their voters. Another failure for separate electorates was that it posed a threat to national integration and the general representatives were not accountable to the minorities representatives elected through separate electorates. Regarding joint electorates, the representation of minorities was almost impossible due to their low percentage and dispersed populations. For such ideological states with low and dispersed population of minorities, the Kymlicka idea of appointing reserved seats to the minorities could provide a better solution to the challenges faced by minorities. Though the regime of General Pervez Musharraf came with a cost of political instability, minorities were not only given the right to represent in general election but also seats in both national and provincial assembly were reserved for them. This was a major democratic step which provided the minorities with a voice to advocate their rights and influence decision making through a proper channel.

## 1.4 Religious Minorities of India: Untapped Representation

After the partition in 1947, India placed much emphasis on secularism and only few voices were asking for nationalist state. In an attempt to form a unified nation and advocate equal rights for the religion minorities, the Indian constitution was framed on the principles of secularism. According to the Indian constitution, seats were reserved for the scheduled castes ad tribes and quota was announced for them in both educational institutions and services. However, the Indian constitutions did not reserve any seat/quota for the religious minority as it would go against the principles of secular democracy. Though the aim of this constitution was to form a more inclusive

and pluralist democratic system, the decision to not reserve seats for religious minority is widely criticized.

One main critique on the non-reservation of seats for religious minority is their inability to mobilize the masses. According to Wright (1957), India is a Hindu majority state and the inability of minority representatives to mobilize the majority questions the democracy of India. Similarly, Jenkins (2010) states that India fails to determine the categories of religious and caste identities and various groups are protesting to be included to the minority reservation. The issue was ignored for almost 5 decades. It is worth mentioning that during the partition, most of the Muslims that chose to stay in India lived below poverty line. This issue was brought up to attention by Janata Dal in their election manifesto to attract the minority votes. However, when Janata Dal came into power only reservation of women seats across the religions was discussed. According to Wright (1997), only G. M. Banatwalla raised his voice on this issue saying that if women can get reserved seats in parliament why can't minorities?

Beside reservation of seats, another alternative was suggested and Muslims demanded separate electorates. However, Hindu majority rejected the idea of separate electorates by arguing that it has given rise to communal violence in pre-independent India. So, does reservation of seats against secularism? Or do the separate electorates hinder the democratic process? These questions have been splendidly outlined by Bhargava (2007). According to him Indian politician politicians argues that making preferences goes against the principles of secularism. However, in western countries this democratic rule is adopted to retain the justification of decisions and policies on the basis of religion. Conversely in the east, this rule is mistaken by not excluding or including representation on the basis of religion which affect the religious minorities representation and in turn hinders the democratic process.

Many factors contribute that adversely affected the representation of religious minorities including backlash from majority, fear of allocation of resources and religious autonomy (Dancygier, 2013). Similarly in India, where Hindus are the majority, the parties fear a backlash from the majority which will in turn affect the voting turnover. This fear has led to the underrepresentation of religious minorities in India and in turn lack of voices advocating diverse interests (Farooqui, 2020). Additionally, the non-proportional representation has strengthened the discrimination against minorities and has further marginalized them (Mallick, 2013). Lastly, this exclusion of minorities from politics has resulted in alienation of decision and policy making (Udin, 2012).

Though Indian constitution was aimed to form a more secularist and liberal state where the minorities could equally represent and advocate their rights, the framing of equal rights to represent has been ineffective. King and Marian (2012) reports that in a majority dominated society, reserving seats for minorities can prove to be remarkably productive especially in preservation of cultures and linguistics. According to Zuber (2015), reserving of seats in representative assembly strengthen the mobilization of minority voters and significantly improve the development of new minorities parties. Similarly, Kymlicka's minority rights theory and Pitkin's descriptive representation theory also stresses the reservation of seats which can be much effective in a majority dominated society. The non-reservation of seats in India has decreased the minorities representation in Rajya Sabha and Lok Sabha which excludes them in decision and policy making. As a result, the minorities of such ideological states could gain significantly through descriptive representation which should be proportionate to the respective constituents.

**1.5 Historical Evaluation of Multi-party System in Pakistan and India:**

The British parliamentary system in Indian subcontinent has a major influence on parliamentary system of Pakistan. Since independence, much has been accomplished accompanied by developed political structure in Pakistan. After partition, Muslim league was the major political party in Pakistan, However Muslim league was renamed to Pakistan Muslim League and divided later on., Pakistan lost its founder about a year after independence and other leaders of Muslim League did not re-organize its political construct to address the political demands of the masses.

One major reason for the failure of Muslim league was its inability to address the issue of constitution (Ahmad & Bano, 2019). In 1948, Pakistan socialist party was founded by Muhammad Yousaf Khan, however it was kept isolated from politics and dissolved in 1956. Similarly, Awami League was founded in by political leaders in East Pakistan and within few years of independence other parties also registered in politics. According to Mahmood and Faiq (2022), the political situation of Pakistan changed from one dominant party to multi-party system within a decade. According to Taylor (1992), General Ayub Khan wanted to get rid of the political parties but eventually changed his mind and decided to lead the government under Conventional Muslim League. However, the idea failed miserably and he was replaced by General Yahya Khan in 1969.

The general elections of 1970's was a significant milestone and a crucial step for Pakistan toward democracy. More than twenty-four parties were registered with both religious and secular ideologies. The religious parties that were campaigning for governance were Pakistan Muslim League, Convention Muslim League, Pakistan Democratic Party, Qayyum Muslim League, Jamiat-e-Islam Party, Jamiat-ul-Ulama-e-Pakistan and Jamiat-ul-Ulama-e-Islam among many others. On the other hand, secular parties like Pakistan People Party and Awami League with

primary goal of economic growth. Around sixty percent Pakistani citizens casted the votes and Pakistan People Party won the majority of seats in West Pakistan while Awami League won the majority in East Pakistan. Unfortunately, the leaders of Pakistan People Party and Awami League could not maintain the unity of West and East Wings which resulted in the division of the country into Pakistan and Bangladesh.

Regardless of the country's tragic division, the general elections of 1970s marked a significant milestone as multi-party system was introduced into politics. Since independence twelve general elections have been held and multi-party system has remained the main feature in all these elections (see table 4). According to election commission of Pakistan (2024), there are 175 registered parties in Pakistan with 8 new parties registered in 2021. Despite the failure to complete tenure, Pakistan has witnessed a significant increase in political parties, each having diverse ideologies, goals and interests. This diversity in political parties provide range of choices for citizens during elections and has significantly contributed to democratic process.

Table 4

Detailed table of general elections in Pakistan

|  | Number of Parties | Main Parties | Outcomes |
|---|---|---|---|
| 1970 | 24 | PPP, AL, Jamaat e Islami | AL won in east Pakistan. PPP won in west Pakistan Separation of Bengal |
| 1977 | 10 | PPP, PNA, PML(Q) | PPP won with majority Zulfiqar Ali Bhutto became PM |
| 1988 | 31 | PPP PML | PPP won with majority Benazir Bhutto became PM |
| 1993 | 30+ | PML(N), PPP, ANP, NDA | PPP won with majority |

| | | | Benazir Bhutto became PM |
|---|---|---|---|
| 1997 | 48 | PML(N), PPP, MQM | PML(N) won with majority |
| | | | Nawaz Sharif became PM |
| 2002 | 61 | PPPP, PML(N), PML(Q), MMA | PML(Q) emerged with majority |
| | | | Zafarullah Khan Jamali became PM |
| 2008 | 36 | PPP, PML(Q), PML(N), MQM | PPP won with majority |
| | | | Asif Ali Zardari became President |
| 2013 | 111 | PPP, PTI, PML(N) | PML(N) won with Majority |
| | | | Nawaz Sharif became PM |
| 2018 | 85 | PTI, PML(N), PPP | PTI won with Majority |
| | | | Imran Khan became PM |
| 2023 | 150+ | PTI, PML(N), PPP | PPP and PML(N) formed coalition Government |
| | | | Shahbaz Sharif became PM |

Note: The table may have errors/discrepancies due to unavailability of data

Conversely to Pakistan, the first general elections of India were held on 1952 where a total of 53 parties and 533 independent candidates contested for seats. The first general elections in India reports the adoption of multi-party system in India. However, many researchers have argued on the advantages of multi-party system in India. Since 1947, there have been 19 general elections in India where Indian National Congress remained a dominant party till 1990s, except for the elections of 1989 when a coalition government (Janata Dal) was formed. In the elections of 1996, 1998 and 1999, BJP formed an alliance know as National Democratic Alliance and won with majority and came in governance. However, to counter NDA, Indian national Congress formed United Progressive Alliance and won the elections 2004 and 2009. In 2014 and 2019, again NDA won with majority and BJP secured victory (See table 5).

Table 5

General elections of India and their outcomes

|  | Number of Parties | Main parties | Outcomes |
|---|---|---|---|
| 1951, 1957, 1962, 1967 & 1971 | 50+ | INC, PSP, CPI | Congress won with majority and formed government |
| 1977 | 34 | JP, ICP, CPI | Janata Party formed coalition government |
| 1980 & 1984 | 36 | INC, JP, JP(S) | INC returned to power |
| 1989 | 113 | INC(I), JD, BJP | JD formed a coalition government |
| 1991 | 145 | INC(I), BJP, JD | INC returned to power |
| 1996, 1998, 1999 | 100+ | INC(I), BJP, JD | BJP formed coalition government |
| 2004 & 2009 | 400+ | INC, BJP, BSP | INC returned to power |
| 2014 & 2019 | 800+ | BJP, INC, TC | BJP won and came to power |

Note: The table may have errors/discrepancies due to unavailability of data about number of parties

Despite the presence of multi-party system, religion is being actively used to gain voters turnover. From independence to 1985, INC remained a multi ethnic party and consistently won the 7 out of the total 8 elections. However, in 1984 the Vishwa Hindu Parishad (VHP) launched a mass campaign calling for the destruction of Babri Masjid and building a temple on the area. In 1986, Bharatiya Janata Party aligned itself with the demands of VHP and openly declared itself as a Hindu majority party while accusing INC for working in the interests of Muslims minority. To counter BJP another party (Janata Dal) committed itself for the protection of Babri Masjid as a bid for Muslim support. According to Chandra (2005), this bid further activated the polarization of religion and shaped the politics to revolve around Hindu majority and Muslim minority.

**1.6 Religious Polarization and Sectarian Violence in Pakistan and India:**

One factor that has significantly contributed to discrimination and marginalization of minorities is the religious polarization in Pakistan and India. The religious polarization in politics of Pakistan and India is deep-rooted in the pre-historic period. According to Gilmartin (1988), the institutionalization of separate electorate was part of the British "Divide and Rule" policy which exacerbated the religious division in sub-continent. The partition of British ruled India has further increased religious divisions with politicians leveraging Islam in Pakistan and Hinduism in India. The large-scale violence during partition strengthened the religious identities and has since influenced the political affiliation in both countries (Khan, 2007). According to Nasr (2000), the parties JI and JUI seeks to represent Muslim majority of Pakistan while recently BJP has emerged in India bringing the ideology of Hindutva. This religious polarization has an adverse effect on the minorities of both states which has significantly increased the discrimination and violence against Muslims and Christians in India, and Hindus, Christians and Ahmadi's in Pakistan (Engineer, 2003).

Similarly sectarian violence is been seen predominantly in Pakistan and India throughout the years. In Pakistan, these sectarian violences can be traced back to Zia-Ul-Haq regime who promoted a Sunni-centric Islam in the country (Nasr, 2000). The period witnessed a significant increase in militant groups including Sepah-e-Sahaba and Lashkar-e-Jhangvi, who were constantly attacking the Shias. According to Zahab and Roy (2004) the political parties in Pakistan has actively utilized the sectarian violences to increase their vote banks. Example of such violence include the attack on the Shia community of Quetta and a bombing of Shia sect in 2013 which killed more than 90 people.

On the other hand, the violences in India are primarily seen between Hindu Majority and Muslim minority. According to Brass (2003), BJP and INC has actively leveraged Hindu's religious sentiments to attract the Hindu voters. Similarly, Jaffrelot (2007), states that the BJP is responsible for promoting Hindutva and creating increased tension between Hindus and Muslims. The increase tension has led to riots between Hindus and Muslims leading to hundreds of deaths. One such incidence is the Gujrat riots in 2002 in which 1000 people mostly Muslims were killed. Other examples of such violence include Delhi riots in 2020, Kandhamal riots in 2008, Assam violence 2012 and Manipur violence 2023.

The media of both states plays a significant role in fueling perpetuating the violences among majority and minority. According to Yousaf (2013), the media outlets in Pakistan fuel the violence with biased and sensationalist reports. One prominent example of such attacks is the Gojra riots on 2009 where media alleged the desecration of Quran by Christians. Though the reports were found baseless later, at least nine Christians including a child were killed while dozens of houses were burnt. Joseph colony incidence (2013) and Asia Bibi case (2010) are other similar examples where media either perpetuated the violences or further fueled them.

Similarly, Rajagopal (2004) argues that the media is responsible for spreading biased news which increased the polarization of religion in India. The Gujrat riots (2002) and Muzaffarnagar riots (2013) were a result of such news which killed hundreds of people. Both Pakistan and India have failed to address the issues of sectarian and religious violences. According to Rana (2015), the National Action Plan which was aimed to fight terrorism has failed to address the issue of sectarian violence. On the other hand, India has also failed to contain communal violences despite of forming various commission and inquires. In short, the violence and polarization in multi-party system of both states is a multifaceted issue which needs to be addressed. A more comprehensive

approach to these challenges includes socio-economic development, and media's responsibility to promote tolerance among the citizen and a more inclusive environment.

**1.7 Electoral Frauds and Rigging in Multi-party System of Pakistan and India**

Multi-party system allows a diverse range of ideologies and interests providing the voter to select from a broader spectrum of choices. However, the advantages of multi-party system depend on multiple factors which might increase or decrease its efficiency. One major factor that defines the integrity of multi-party system is the issue of electoral fraud and rigging. According to Klasnja and Tucker (2017), rigging refers to the manipulation of electoral process to change the outcome of election. The process of rigging deprives the citizens of their freedom of choice to choose their representative and undermines the principles of democracy. Electoral rigging includes ballot tampering, voter suppression and using state resources in favor of specific political party. According to Norris (2014), electoral rigging leads to skewed representation of people's preferences through unfair advantages.

In developing democracies, the dominant parties often have access to state resources, media and machinery through which they use to tilt the electoral results in their favor. According to Schedler (2006), rigging not only provides the opposition with significant hurdles but also sabotage the transparency of elections by campaigning through illegal and unethical means. A country should resolve the issues of rigging and electoral frauds in order to maintain the democratic process. The country should strengthen its electoral commission and mechanism to address the issue of electoral fraud (Norris, 2014). Moreover, Schedler (2006) highlights the role of international organizations to exert diplomatic pressure and monitor the electoral process in order to safeguard the integrity of free and fair election.

Electoral frauds and rigging have posed significant threats to the democratic process of Pakistan and India. Throughout the years, rigging allegation and electoral frauds have been reported in both states. In Pakistan, such reports of electoral rigging are of serious concern in the past two decades. The year 2013 marked Pakistan's significant transition toward democracy where the PPP government completed their full tenure. However, many reports of rigging were witnessed in general elections of 2013 despite the election amendment bill and measures taken by electoral commission. The opposition parties PTI and PPP accused PMLN to manipulate the electoral process through rigging to secure victory (Internation Crisis Group, 2013). Similar allegation of rigging was made in elections of 2018 where PPP and PMLN claimed that military establishment has influences the elections in favor of PTI (Aljazeera, 2018). Moreover, the elections of 2024 indicated a failing image of democracy where the opposition leader was imprisoned and his party was barred from holding campaign (Arshad, 2024). The winning party was accused of massive rigging by both national and international media while several other events supported these claims.

Similarly, electoral fraud has been a matter of concern in India where instances of vote rigging and other malpractices have been reported throughout the years (Banerjee, 2011). Though the introduction of electronic voting machines (EVMs) significantly decreased the vote rigging, this didn't totally eradicate the electoral fraud. During the general elections of 2019, many parties questioned the reliability of EVMs and demanded the use of voter verifiable paper audit trail (The Hindu, 2019). Additionally, the common practice of vote buying through money power has hindered the democratic process of India (Vaishnav, 2017). Another factor that has adverse effect on the electoral process is the spreading of fake news through manipulated media (Chakravartty & Ro, 2017).

Though multi-party system provides broader range of ideologies for minority votes, the increased rigging has disenfranchised minority groups and hindered the democratic process of both states. According to Birch (2011) the vote rigging and ballot stuffing significantly affect the minority's representation and silence their voice. Similarly, Diamond and Plattner (2015) argues that the resulting government representatives are less likely to address the issues of minorities. Moreover, the rigging has significant impact of mistrust which leads to unrest and violence (Collier & Vicente, 2012). A prominent example is Kenya where the electoral fraud triggered widespread violence among majority and minority (Kanyinda, 2009).

Despite that fact that multi-party system proves fruitful, the vote rigging and other electoral frauds have severe implications for minorities. The vote rigging in both Pakistan and India undermined the minorities representation and perpetuate discrimination by exacerbating social divisions. It is crucial for Pakistan and India to address these issues of electoral fraud and vote rigging in order to protect the rights of their minorities. Moreover, the countries should strengthen their electoral institutions to ensure free and fair representation. Lastly, significant efforts should be made to ensure an equitable democratic process and foster a more inclusive environment.

# CHAPTER 2

# NAVIGATING THE SPECTRUM: THE ROLE OF MULTI-PARTY SYSTEM ON MINORITIES RIGHTS IN PAKISTAN AND INDIA

**2.1 Legal and Constitutional Framework regarding Minorities:**

After the emergence of Pakistan as an independent state, the country was facing issue of establishing a legal framework. Despite the fact that Islam played a pivotal role in independence, the Architects of Pakistan were not rigid Islamic orthodox but were liberals educated in the west. Jinnah's views of Pakistan were of a democratic and tolerant society, where the rights of the minorities should not be undermined. In march 1949, objective resolution was passed which ensured fundamental rights and equality to each citizen both Muslims and non-Muslims.

After the passage of objective resolution, constitutional making started and two committees were framed for this purpose: one responsible for fundamental rights and another for rights of minorities. The constituent assembly adopted the reports of these committees finalized the first constitution in 1954. The first constitution was promulgated in 1956 in which fundamental rights were ensured and minorities were guaranteed equal rights. Though this constitution was evoked two years later, another constitution was framed in 1962 which similarly ensured the minorities rights and fundamental rights. Unfortunately, this constitution was also evoked and another constitution was promulgated in 1973 giving similar emphasis to both minorities' rights and fundamental rights.

Despite the changes in these three legal frameworks, fundamental rights and equality was ensure to all citizens. Each citizen was entitled to right of life, liberty, property, occupation and

freedom of speech and movement. All the constitutions were framed to ensure and no prejudices were made on the basic of caste, creed, race or provinces. Special emphasis was given to fair treatment of minorities and it was framed that government should provide special care and promote education in individuals of backward classes and areas. Additionally, the government was responsible to identify individuals of under-privileged castes, creeds, tribes and races, and ensure their equal treatment. The constitution of 1962 framed an additional article to ensure basic necessities of life to every citizen.

Unlike Pakistan, British government was responsible for the external security of India for three years since independence. However, the Indian government ceased to be under British dominion in 1950 and became a sovereign country. The constituent assembly responsible consisting of 299 members was responsible for making constitution which took almost 3 years to finalize. The constitution ensured fundamental rights to each citizen and additionally framed rights of minorities. Similarly, the Indian constitution gave its citizen the rights to profess, follow and propagate their religion. However, these rights were subject to certain limitations as the government was allowed to impose restrictions in situations of public order, morality and health (Rajput, 2022). Indian Citizenship law, enacted in 2019, has exploited the rights of Muslim minority in India as it gives citizenship to minority immigrants: Sikhs, Buddhists, Christians, Jain and Parsi except Muslims. Special provisions regarding the rights of minorities in both constitution of Pakistan and India are given in table 6.

Both Pakistan and India have framed their constitutions to ensure the rights of minorities and safeguard them against discriminations. Additionally, the countries have made minority commissions to safeguard the interests of minorities and voice for their rights. Below are some key features of Pakistan and India constitutions that specifically focuses on minorities rights.

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1. Fundamental rights: In Pakistan, fundamental rights are detailed in part II of the constitution spanning from article 8 to article 28. In constitution of India fundamental rights are framed in part III spanning from article 12 to 35. These articles are framed to guarantee fundamental rights to each citizen and include rights of equality, life, personal liberty, education, freedom of religion, speech and movement etc.

2. Right to Profess religion: Right to profess, practice and propagate religion is guaranteed under Article-25 of Indian constitution and Article-20 of Pakistan constitution of 1973. These articles allow the minorities to freely follow and publicly manifest their religion without interference from the state or any other government bodies.

3. Right to manage religious institutions: Minorities are guaranteed rights to manage their own religious institutions under Article-26 of Indian constitutions and Article 20(a) of Pakistan constitution of 1973. These articles are aimed to safeguard the minorities rights to manage their religious institutions independently without any interference from the state.

4. Preservation of Culture, Language and Script: Article-22 of Pakistan constitution of 1973 and Article-28 of Indian constitution recognizes the minorities right to preserve their distinct language, culture and script. These articles emphasize the importance preserving the distinct culture, language and script of minorities and are aimed to protect their unique identities.

5. Safeguard to attending religious ceremonies of other religions: In addition to freedom of religion, minorities of both Pakistan and India are safeguarded from any type of pressure or coercion to compel them to attend religious ceremonies that does not belong to their religion. These rights are framed under Article-22 in 1973 constitution of Pakistan and under Article-28 constitution of India.

6. Freedom of giving religious instructions: The minorities of Pakistan are guaranteed the rights to give religious instructions to pupils of their own religion in article 22(a). However, no such article has been framed in constitution of India.

7. Safeguard to discrimination regarding admission and public aid: Minorities of Pakistan and India are guaranteed equal access to admission in educational institutions and public grants without any form of discrimination under Article-26 in constitution of Pakistan (1973) and Article-15 in constitution of India.

8. Safeguard to discrimination against special taxes: Minorities of Pakistan are safeguarded against any kind of special taxes under Article-26 in constitution of 1973 however no similar article has been framed in Constitution of India.

9. Right to establish educational institutions: The minorities of India are given the right to establish and manage their own educational institution under article 30(a) however no similar right has been framed in constitution 1973 of Pakistan.

10. Right to access public entertainment places: The minorities of Pakistan and India are guaranteed equal access to public and entertainment places without any form of discrimination under Article-26, Constitution of Pakistan and Article-15 Constitution of India.

11. Safeguard against discrimination in services: Minorities of Pakistan are ensured equal opportunity to join services without any form of discrimination under Article-27, Constitution of 1973 however no similar rights were framed in constitution of India.

12. Safeguard against taxation regarding religion: Minorities of Pakistan and India are safeguarded from any kind of special taxes bases on their religion under Article-21 in Constitution of Pakistan and Article-27 in Constitution of India.

Despite giving special emphasis on minorities rights in constitution of both states, the applications of framing constitution and commissions often fall in real word due to socio-political dynamics. Both Pakistan and India have frequent reports of violation of minority rights and incidences of crimes against them. In Pakistan they are often targeted with false claims of blasphemy while in India they are targeted with unjust use of anti-conversion bill. Similarly, the cases of forced conversion, destruction to worship places and property of minorities are regularly reported. In conclusion, both the nations should strengthen their constitutions and minorities commissions to bridge the gap between constitutional promises and their practical outcome.

**2.2 Incidences of Crimes Against Minority Communities:**

Quaid e Azam, the founder of Pakistan, advocated for a more tolerance society where minorities could be free to practice their religion. According to ex Chief Justic Muhammad Munir, the Muhammad Ali Jinnah never used the words ideology of Pakistan, rather it was 15 years later when Choudhry Fazal Elahi felt the need for Ideology of Pakistan to be explained and clarified. On this, the members of Jamaat-e-Islami replied that the ideology of Pakistan is Islam. Regardless of the secular views of Jinnah, minorities rights are denied and many cases of force conversion are recorded on regular basis. According to Human Rights Commission of Pakistan, 20 minorities girls are abducted and forcefully converted to Islam every month. Similarly, PML(N) politician Haresh Chopra has raised voice against force conversion and said forced conversion is a business committed by organized gangs on regularly basis. In March 2019 a video of two sisters (Reena and Raveena Meghwar) reciting Kalma surfaced on the internet while there was still Holi on their faces. They were abducted from their home and were married to Safdar Ali and Barkat Ali who were already married having children. Similar other accounts can be seen throughout the past few years (See table 7).

Table 6

Minorities individuals forced to Conversion in Pakistan

|  | Individuals Affected | Incident Location | Nature of forceful abduction/conversion |
|---|---|---|---|
| Feb 2012 | Rinkal Kumari | Mirpur Mathelo | Converted and married to Naveed Shah |
| Mar 2012 | Aisha Kumari | Jacobabad | Converted and married |
| Apr 2012 | Rekha & Kailash | Pangrio City | Converted to Islam |
| Feb 2013 | Meena Meghwar | Kunri City | Converted and married with Riaz Kappri |
| Jul 2013 | Bhari Bheel | Kunri | Converted and married with Ali Murad |
|  | Bhagwanthi | Kunri | Converted and married with Javed Sahto |
|  | Koonj Bheel | Nawabshah | Converted to Islam |
|  | Bibi | Tando Jam | Converted and married to M. Ali Machi |
| Aug 2013 | Raaj Bai | Tando Jam | Converted and married with Essa Kaloi |
| Dec 2013 | Bhagori Meghwar | Chachro | Converted and married with Zulfiqar Ali |
|  | Shirimati Meeran | Kunri | Converted to Islam |
| Jan 2014 | Hazar Bhagri | Pano Akil | Converted to Islam |
| Jan 2015 | Pooja | Karachi | Converted to Islam |
|  | Jamna & Pooja | Mirpur Khas | Converted to Islam |
| Feb 2015 | Mariam Meghwar | Barchundi | Converted and married with Asif Lund |
| Oct 2015 | Anjeli Meghwar | --- | Converted and married with Riaz Siyal |
| Nov 2015 | Kiran | Nawabshah | Converted and married to Qurban Samo |
|  | Lali Meghwar | Samaro | Converted to Islam |
| Feb 2016 | Sheela Meghwar | --- | Converted to Islam |
| Mar 2016 | Walhi Kollhi | Jam Nawaz Ali | Converted to Islam |
| Apr 2016 | Chandar Mati Baghri | Ghotki | Escaped the Abductor |
| Dec 2016 | Ramila Meghwar | --- | Converted and married 80 years old |

| Jan 2017 | Sapna & Raj Kumari | Thul City | Converted and married with Muslim |
| Jul 2021 | Reena Meghwar | --- | Conversion & force marriage |

*Note:* Table represents but is not limited to cases of conversion. Source Rasool & Abdullah, 2022

Similarly, many minorities are killed with accusation of Blasphemy. According to World Report Watch (2024) more than 65 people have been killed on accusation of blasphemy while dozens on minorities remain on death row. Similarly, minorities have faced vandalization of their properties (International Christian Concern, 2021), worship places (Aljazeera, 2021) and businesses while the ignorance from authorities remains constant. Conversely, in Sindh where crimes against minorities are much higher, government has passed Protection of Minorities Act in 2015 which has criminalized the forced conversion and marriages while another bill was presented which criminalized the forceful conversion of minorities conversion.

Regarding the minorities in India, Indian government has imposed strict laws to restrict the forced conversion. However, the commission of anti-conversion revealed that reports of conversion rely on two assumptions. First, the minorities are vulnerable to conversion and are lured into changing religion or the converts may have not freely converted to Hinduism. Moreover, studies have reported that certain rights in constitution along with politics are intervened with religion which questions the authenticity of conversion (Viswanatham, 1998; Mallampalli, 2004). According to Saiya and Manchanda (2019), the rise to power of BJP in 2014 have led to mass scale violence against Sikh, Christian and Muslim minority of India. Similarly other studies have also reported that the Hindu nationalist organizations have supported violences against minorities both directly and indirectly (Brass, 2003; Wilkinson, 2006; Nussbaum, 2009). Many incidences of violence against the minorities have been reported in the past 2 decades with significant increase since 2014 (see table 8)

Table 7

Incidences of violence against minorities in India

|  | Incident Location | Nature of incident | Source |
|---|---|---|---|
| Jan 2013 | Uttar Pradesh | 13 years old Zubeida converted and married to Hindu | Tribune.com.pk (2017) |
| Mar 2014 | Gauri Sriram | Sameena Khatun threatened and physically assaulted by Santosh | Muslimmirror.com (2017) |
| Mar 2014 | Gauri Sriram | Noori was abducted by 4 Hindus while father threatened for filing FIR | Muslimmirror.com (2017) |
| Dec 2014 | Agra | 57 Muslim families converted against their will | bbc.com (2014) |
| Sept 2014 | Madhya Pradesh | Police arrest 4 Dalits for converting to Islam | Scroll.in (2017) |
| Dec 2019 | -- | 328 targeted violence reported against Christians | Persecution.com (2021) |
| Nov 2020 | Hyderabad | 15 Hindus broke into the house and attacked the Christians. | Christianpost.com (2020) |
| Feb 2020 | Delhi | M. Munazir house looted and burnt down by Hindu mob | BBC (2020) |
| Mar 2021 | Jhabua | Hindu nationalist beat Shankar Damor's wife and son for not converting to Hinduism | Persecution.org (2021) |
| Nov 2021 | Uttar Pradesh | 22-year-old Muslim (Altaf) killed in custody | Boomlive.in (2021) |
| Jun 2021 | Jhabua | Pastor Hatesing's mother was burnt and he was denied opportunity to pray for her and perform her last rituals | Persecution.org (2021) |
| Aug 2023 | Haryana | Mosque set on fire and Muslim cleric killed by Hindu mob | BBC (2023) |
| Apr 2024 | Golpara | 3 Muslims burnt alive in car | Clarion (2024) |

*Note:* Table represents the incidences of crimes by Hindu majority of India toward minorities.

Similar, targeted violences against Indian Muslims and Christians are reported on regular basis with significant increase since BJP came to power. According to International Christian concern (2021), 34 cases of violence were reported in the first 6 months of 2021 which include trespassing and damaging their property, damages to the church, closing the churches, stopping them from praying and beating the pastors and congregants. Reports of forced conversion, abduction and underage marriage are reported by families however they are often suppressed in First Information Reports. According to All India Muslim Majlis-e-Mushawarat (AIMMM), 389 similar cases of abduction, forced conversion and marriage have been reporting between 2014 and 2016. Moreover, the government has enacted anti-conversion bill and actively accuse Muslims and Christians with forced conversion. One similar case was reported in 2018 when government arrested 6 men and 2 women in Madhya Pradesh by false claims of force conversion (Christian news, 2020). Though the accused were acquitted 2 years later, such situations remain a matter of concern for the minorities.

Another factor that has adversely affected the Muslim and Christian minorities is the enactment of Madhya Pradesh Freedom of Religion ordinance in 2020. This bill requires the individuals seeking to convert and the religious leaders to inform the district administration 60 days prior to conversion or they will be subjected to 50,000 rupees fine and 3-5 years in jail. According to Hindustan Times (2021), the new anti-conversion law led to the arrest and charging of 28 individuals, primarily Christians in its first month of enactment. Despite the fact that constitution of India offers freedom of religion to each individual, the anti-conversion law is a hinderance from the government and take away their right to profess, follow and propagate their religion.

These incidences of crimes in both countries not only highlights the significant challenges faced by minorities of both Pakistan and India but also reflect their deep-rooted prejudices of their majority towards minorities. In Pakistan these incidences include cases of forced conversion and abduction. Moreover, the misuse of Blasphemy laws have exacerbated the situation of minorities while leading to violence, harassment and extra judicial killings of minorities. On the other hand, the minorities of India, especially Muslims, Christians and Dalits are facing various form of discrimination and violation of basic rights. These riots are often justified with the new anti-conversion laws and under the guise of protecting cows which are considered sacred by the Hindu majority. History of communal riots by similar false claims can be seen in Gujrat riots (2002), Kandhamal violence (2008 & 2008) and more recently Delhi Riots (2020) which led to killing of hundreds of Muslims and Christians minorities. Both nations should prioritize the safety of their respective minorities and promote an environment of national unity and integrity. This can be achieved through by working according to the principles of Minority rights theory by protecting the minorities cultures and rights and ensuring their full inclusion and participation in political environment.

## 2.3 Legal Triumphs: Court Decisions Protecting Minority Rights in Pakistan and India

Despite the prevailing challenges of violence and discrimination, the legal triumphs and judiciary decisions have fortified the minorities struggle for equal rights and freedom of faith. Despite the backlash from radical Islamists, Pakistan's Judiciary have been held decision not only to uphold the principle of justice and equality but also to provide a ray of hope for the minorities of its state. The judiciary has rendered many decisions to safeguard the rights of its state's minority against the Muslim majority. Among these, one notable case is the blasphemy allegations on Asiyah Noreen. In November 2010, Asia was sentenced to death by Sheikhupura court while the

case made highlights in both national and international media. Despite the pressure and protests from religious figures, Noreen was acquitted of all the charges based on insufficient evidence. Table 9 enlists some of the significant cases in the past few years in which the court's justice prevailed in favor of minorities.

Table 8

Pakistan's judiciary decisions in favor of the state's minority

|  | Justice Rendered | Source |
|---|---|---|
| Feb 2020 | Pakistani govt handed keys of 200 years old temple to Hindu minority. | Muslimnews.co.uk |
| May 2021 | Court overturned death sentence against Christian couple turned down in blasphemy case. | bbc.com |
| Nov 2021 | CJP Gulzar Ahmad inaugurated the rebuild temple in Karak on Diwali festival. | Tribune.com.pk |
| Aug 2023 | Police arrest 147 people for destroying churches and Christian homes. | Aljazeera.com |
| Feb 2024 | CJP Faiz Essa ordered release of Ahmadi man who was arrested for distributing Ahmadi commentary | Bitterwinter.org |
| May 2024 | Family court nullified the forced marriage of Reeha Saleem. | Christianpost.com |

Note: Table represents some of the instances of justices in favor of minorities.

Similarly, the Indian courts have played a pivotal role in upholding decisions to ensure equality, justice and fundamental rights to the minorities. Recent judgments have highlighted the need for equality and justice and assurance of decisions without any form of discrimination. One

notable case that involved discrimination against minorities is the Babri masjid case. In 1992, Babri masjid a 16th century masjid was demolished by Hindu mob. The case was under dispute for more than 2 decades and in November 2019, Indian Supreme Court ordered to built a mandir of the disputed land. Despite the challenges and criticism, Indian courts have made strides in delivering justice to minority communities. Table 9 shows some of the instances where Indian courts have decided in favor of minorities against majority.

Table 9

Indian Judiciary decisions in favor of its minorities

|  | Justice Rendered | Source |
| --- | --- | --- |
| Jan 2019 | Indian court nulled the deport order of Christian doctor involved in preaching Christianity | UCAnews.com |
| Jan 2023 | Indian court rules in favor of Christian postal worker in unanimous religious freedom | Catholicnewagency.com |
| Oct 2023 | Indian court threatens fines and arrest to Hindus for harassing Christian converts | Persecution.org |
| Apr 2024 | Indian court decides in favor of Christian son to give father proper burial | Theendtimenews.com |

Note: Table indicates but is not limited to the decisions by Indian judiciary in favor of minorities

The legal system of Pakistan has safeguarded the rights of minorities through their landmark decision. In Pakistan, the case of Joseph Colony where Lahore high court ordered the mob to pay compensation to the Christian minorities for their damages is notable. Similarly, the Murree Brewery Case (2005) which allowed a Christian based company to produce and consume under certain conditions and Rimsha Masih Case (2012) in which the young Christian girls falsely

accused of blasphemy was released on basis of lack of evidence are notable. Other such cases include the protection of Hindu Temple Case (2014), Sue moto case of Forced conversion (2020) and protection of Christian minority case (2021). Regarding India not enough insight is available to see how the judiciary has safeguarded minorities against unequal treatment. Despite the legal triumphs, judiciary still face challenges in protecting minorities rights against majority.

To sum up, the judiciary plays a pivotal role in safeguarding the rights of minorities and protecting them against discrimination. These legal triumphs have gained international focus and have significant impact on discourse of global human rights. Despite the challenges of deep-rooted prejudices, deep religious divisions, societal intolerance and political pressure, the judiciary of both countries have upheld numerous decisions ensuring the justice and equal treatment of minorities. These court's decision ranges from false allegation blasphemy cases to forced discriminations and access to religious sites. It is worth mentioning that the many decisions are available in Pakistan which favored the minorities however, the situation differs in India where lack of insight is available regarding such triumphs. Despite the significant progress, there still remains challenges to fully realize the freedom and equal rights of minorities. The judiciary of Pakistan should continue to uphold such decisions which are based on false blasphemy allegations and forced conversion. Similarly, India must uphold the rule of law by interpreting and applying constitutional principles to protect the rights of its minorities and safeguard them against unjust treatment.

# CHAPTER 3

# THE INFLUENCE OF MULTIPARTY SYSTEMS ON MINORITY REPRESENTATION IN PAKISTAN AND INDIA

## 3.1 Political Representation of Minorities within Multi-Party Systems:

Despite the challenges of discrimination and marginalization, Pakistan has constitutionally granted right of general political representation of minorities along with minority quota. Ensuring the minorities quota is aimed to strengthen the democratic process and has resulted in minorities representation and mobilization. These minorities seats in both national and provincial assembly is based on their proportion in each province with the objective of providing voice to minorities in legislation decision making. The presence on minorities in political system indicates an ongoing effort of inclusivity and pluralism.

After the long struggle of democratic process, minorities have recently started to actively take part in electoral processes and advocate their rights and interests. Pakistan People's Party has been actively working for minority rights and inclusion in politics more than any other party. More recently Nawaz Sharif has also stepped up to support minorities of Pakistan and opened Kartarpur border so that the Sikh community of India can visit Gurdwara in Pakistan This recent change has shifted the course of Pakistan's politics to diverse representation and commitment to minority rights (see table 3)

Table 10

Minorities representation in politic

| Minority Group | Political Affiliation | Political appointment and Tenure |
|---|---|---|

| | | | |
|---|---|---|---|
| Anwar Lal Dean | Christian | PPP | Member of Senate since 2018 |
| Ramesh Singh Arora | Sikh | PML(N) | Current Provincial Minister Punjab since march 2024 |
| | | | Ambassador Kartarpur corridor since march 2023 |
| Anthony Naveed | Christian | PPP | Deputy Speaker Sindh Assembly since February 2024 |
| Kamran Michael | Christian | PML(N) | Member of the Provincial Assembly of Punjab from March 2012 to March 2018 |
| John Kenneth Williams | Christian | PTI | Member of Pakistan's Senate from March 2015 to March 2021 |

Note: The table shows but is not limited to, minorities representation in Politics of Pakistan

The representation of minorities is multi-party system of Pakistan not only provides a descriptive representation to the minorities but also provide political structure based of principles of Kymlicka's theory of minorities rights. In short, the multi-party system of Pakistan has provided an opportunity for the Christian, Hindu and Ahmadi minorities to represent in major political parties and advocate their interests. Moreover, the shift from ideological to a more secular political system have further improved the participation and representation of minorities in politics. Conversely, there still remains challenges to address the issues faces by minorities in perspectives of social prejudices and religious extremism. Regardless of this, the multi-party system has proved effective to provide the minorities with a platform to advocate for their interests and hold the government accountable for their grievances.

Unlike Pakistan, constitution of India has only served seats for scheduled castes and scheduled tribes. Additionally, no seats have been reserved for religious minorities like Muslims, Christians, Sikhs etc. The religious minorities of India are considered as part of general population

in an effort to reduce religious based privileges. Reserving seats in political assembly is an essential factor of democratic process. Assigning descriptive representation to minorities in political system ensure that the interests of minorities is seen and their voices heard (Lijphart, 1977).

Farooqui (2020) argues the despite the fact that Muslims comprise 14 percent of the total population, the 17th Lok Sabha comprised 5 percent of the Muslim representatives. In the elections of 1980s and 1984s, INC put significant efforts in mobilization of social groups which resulted in close to population share in Lok Sabha. However, the recent politicization of religion and the rise of Hindu nationalist parties has significantly affected the Muslim share in Lok Sabha and Rajya Sabha. In the elections of 2014 and 2019, where BJP came into power, Muslims had no representation in government. One major factor that resulted into lower representation of Muslims is the concern of politicians about alienating non-Muslim voters (Khalidi, 1993). Additionally, The First Past the Post system (FPTP) which tends to favor larger parties and majority-based candidates has also adversely affected the minorities representation in both Lok Sabha and Rajya Sabha (Emmerich, 2023).

The absence of minorities quota in political system combined with FPTP has an adverse effect on minorities representation in both Lok Sabha and Rajya Sabha. The religious minorities of India are continuously marginalized and ignore in policy making. Despite being a country with diverse religious and cultural representation the political system of India is dominated with Hindu nationalist parties. Additionally, the Indian political government lacks diversity and face a challenge of legitimacy and public trust. Moreover, the government by the majority is favoring the Hindu majority only, causing religious conflict and violation of human rights. Lastly, the Hindu nationalist agenda has violated the basic principles of democracy and pushed the country into a more ethno-democratic country (Jaffrelot, 2019).

As earlier stated, the political structure of India has derailed from secularist principles to a Hindu nationalist society. Despite the fact that Pitkin argues for descriptive representation in a democratic state, there has been significant decline in minorities representation in both Lok Sabha and Rajya Sabha. Furthermore, the absence for reserved seats for minorities has also made obstacles for its minorities to participate and represent in politics and goes against the principles of Kymlicka's theory of Multicultural citizenship and minority rights. Though the multi-party system plays a pivotal role in shaping the landscape of Pakistan, the recent shift to Hindu nationalism in India has significantly decrease its gains for minorities. It is wrong to predict that ignoring ethno-cultural identity will decrease communal conflicts and contribute to more liberal and democratic system. Analysis of western countries shows that ethno-cultural demands have increase with the achievement of democratization (Kymlicka, 2000). This was emphasized by the Sachar Committee report (2006) which highlighted the under-representation of Muslim in Rajya Sabha and Lok Sabha and requested to initiatives to improve their conditions.

## 3.2 Case Studies of Minorities Participation in Multi-Party System:

Multi-party system in Pakistan has significantly contributed to the presentation and mobilization of minorities. In Pakistan more than 150 parties have registered with each having different ideologies goals and interests. This diversity of ideologies has resulted in emergence of individuals from minority backgrounds to influential figures. These individuals have not only advocated minority rights but have highly contributed to religious freedom in Pakistan. The past two general election has seen a drastic change in minorities participation in Pakistan.

In Pakistani politics the political presentation of minorities has highly contributed to the rights of minorities and other marginalized communities. In addition to the forementioned minority

leader, other political figures like Mahesh Kumar Malani, Ayesha Mubarak, Jagdish Meghwar also an example of the increase representation of minorities on district, provincial and national level. Despite facing obstacles, the resilience of such individuals in diverse political structure showcases their contribution to a much inclusive democratic state. The minorities representations in Pakistani politics include but are not limited to:

1. **Krishna Kumari Kohli**: Dr Krishna Kumari Kohli belongs to Kohli community which is among one of the indigenous communities of Pakistan. Born in a poor family in Nagarparkar, Kohli faced bonded labor in young age. It was not until their employer's land was raided and she was free. Kohli's political journey started when she joined PPP to advocate the rights of minorities and indigenous communities. She was nominated as a member of senate in 2018 and since then holding that position. Krishna Kohli has been actively raising her voice for minority rights and well-known for her contribution to property rights, education and health-care of minorities (Khattak & Higdon, 2020).

2. **Sardar Soran Singh:** Sardar Soran Singh was born in Buner and belonged to Sikh community of Pakistan. His political career started by joining Jamaat-i-Islami however he left JI and joined PTI in 2013. Regarding leaving Jamaat-i-Islami, he said that the Sikh and Hindu community though I was inviting them to embrace Islam. In 2013, he contested for provincial seat and was successfully elected member of provincial assembly. Soran Singh actively worked for the rights of minorities and is highly known for the restoration and opening of Gurdwara Bhai Biba Singh Sahib in Peshawar. He worked for the welfare and unity of both Muslims and Minorities. Despite his good efforts, he was shot dead in his hometown Buner by armed men in 2016 (Mahmood, 2016).

3. **Lal Chand Ukrani:** Lal Chand Ukrani is a member of scheduled caste of Pakistan and a prominent advocate of minority rights. He played a key role in organizing protests and campaigns for the demanding representation and equal rights for marginalized communities of Pakistan. His struggle got the attention of political leaders who nominated him a member of the provincial assembly which he is holding since 2013. He is using his political position to bring legislative reforms especially regarding religion conversion and forced marriages of minorities (Siddiqui, 2023).

4. **Kamran Michael:** Kamran Michael belongs to the Christian community of Pakistan and is a prominent figure in Pakistani politics. His political career started when he was involved in politics as a student and later joined PML(N). He was appointed as aa member of senate due to his dedication and leadership qualities.  He became a federal minister of Pakistan in 2016 and was the first member from Christian community to hold this position. He has also served as a minister of human rights in Punjab assembly and has highly contributed to the rights, education and socio-economic status of minorities (Dawood & Ghauri, 2013).

5. **Farahnaz Ispahani**: Farahnaz Ispahani belongs to Parsi community of Pakistan and is a prominent figure in Pakistani politics. Her political career started as an activist for rights of minorities and women. She later joined PPP and was appointed as a member of national assembly. She has written numerous books about minority rights, women empowerment and inclusivity in Pakistani society (WilsonCenter, 2024).

Similarly, the multi-party system in India has yielded much benefits for its diverse minorities. By fostering diverse party system of more than 2600 registered parties, a multitude of minority representation can be seen throughout that past 17 general elections. Despite the lower rate of success, minorities representatives are consistently making a presence in both Lok Sabha and

Rajya Sabha. Additionally, the support of secular parties (INC, CPI etc.) and the presence of minority-parties itself has ensured the active participation of minorities in politics. The minority representatives in Indian politics includes but are not limited to:

1. **Asaduddin Owaisi:** Asaduddin Owaisi belongs to the Muslim minority of India and is the president of All India Majlis-e-Ittehadul Muslimeen (AIMIM). His political career started in elections of Andhra Pradesh Legislative Assembly 1994. He defeated his rival by 40 thousand votes and became elected representative of that constituency. In 2014 he stood from Hyderabad constituency and defeated Bhagwant Rao of BJP. Asaduddin Owaisi is considered as one of the top 500 influential Muslims in the world and actively speaks about minorities rights, highlighting issues of injustice, discrimination and inclusive politics. He was honored with Sansad Rathna Award in 2014 and Best Parliamentarian Award in 2022.

2. **K. Rahman Khan:** Rahman khan was a member of Indian National Congress and belongs to Muslim community of India. He has been elected 4 times as a member of Rajya Sabha and also acted as a Union Minister of Minority Affairs. His struggle for advocating minority rights have resulted in reserving 4 percent minority quota in Indian Services and educational institutions. His participation in establishing Medical College at Bijapur has resulted in thousands of doctors from minority communities of India. His other achievements include Waf amendment bill of 2013, revamping Haj management for Indian pilgrims and "Daily Salar" newspaper. He has been honored with several awards including "CA lifetime achiever", Tipu Sultan Award and Sahkara Ratna Award.

3. **Mukhtar Abbas Naqvi:** Mukhtar Abbas Naqvi is a member of BJP and belongs to Muslim community of India. He was a member of Rajya Sabha Naqvi representing Uttar Pradesh from 2010 to 2016 and Jharkhand from 2016 to 2022. Naqvi has been serving as a minister

for Minority Affairs since may 2014 and actively advocating minority rights. Being a prominent minority representative, Naqvi has significantly contributed to financial assistance and skill development programs for minorities. Moreover, he has emphasized equal opportunities for minorities through scholarships and support programs. Furthermore, his contributions to minorities include addressing issues of discriminations, housing, healthcare and communal violence.

4. **Margaret Nazareth Alva**: Margaret Alva belongs to Christian community of India and prominent politician of Indian National Congress. She has been elected as Governor of Uttarakhand, Gujarat, Goa and Rajasthan at various times between 2009 and 2014. She has served as minister in several organizations including Minister for Women and Child Development and Minister for Youth Affairs and Sports. Margaret Alva has actively advocated the rights of minorities and highlighted issues of inclusivity, social justice, discrimination. She is highly known for her contributions to gender equality and inclusivity of women in politics and decision making.

5. **Oscar Fernandes:** Oscar Fernandes was and Indian politician from INC who belonged to the Christian community of India. He was a prominent politician and served in various ministerial roles of transport, overseas affairs and labour. Fernandes worked for the marginalized communities of India and took various initiatives for their socio-economic upbringing. Fernandes raised his voice for a more secular and inclusive government and spoke against communal violence and religious intolerance.

The representation of minorities in multi-party system of India has played a pivotal role in structuring its socio-political landscape. One such example is Bahujan Samaj Party (BSP), which was formed under the leadership of a Dalit woman Mayawati. Its success in Uttar Pradesh has

highlights the significant impact of multi-party system on minorities to influence decision and policy making that directly affect their lives. Similarly, another political party AIMIM has emerged to represent Muslim population and advocate for their rights. Such examples highlight the dynamics of multi-party system in shaping the socio-political outcomes for minorities.

## 3.3 Socio-Political Outcomes for Minorities in Multi-party System:

Pakistan is a homeland where a rich tapestry of religions, cultures and races is woven from centuries. However, like any other multi religious state, religion has polarized state affairs of Pakistan and became a dangerous weapon to attract majority's attention. The complex history of religious involvement in Pakistani politics has undermined the rights of minorities. Despite the fact that all the three constitutions ensured fundamental rights to minorities and gave special emphasis to marginalized communities, minorities face discrimination on daily basis while their rights denied.

The dynamics of multi-party system in Pakistan have also offered opportunities for the minorities and shaped its socio-political outcomes. The focus of parties such as PPP and more recently PML(N) on inclusion of minority members has significantly increased recently which allows the minorities to have a voice in decision making and advocate their rights. An example of such can be seen in Sindh, where minorities population is greater than other provinces of Pakistan. PPP, which hold power over Sindh, has always advocate the rights of minorities and focused on minorities representation which resulted into numerous constitutional reforms such as forced conversion.

Additionally, the dynamic of multi-party system in Pakistan provides a diverse range of interests and priorities giving the minorities a wide array of choices that align their interest. On the

other hand, the major political parties are seeking the support of minorities to make a government which has not only increased minorities mobilization but also their representation in politics. One such example is the political association of Sardar Soran Singh with Jamaat e Islami. Regardless of the above advantages, there is challenges of persistent discrimination and limited participation needs to be addressed to combat discrimination and form and inclusive government

Similarly, the multi-party system of India has provided an opportunity for its minorities to represent and rise a voice for their rights. One such example is AIMIM, which actively represent the Muslim minorities of India advocate for their rights. Additionally, the coalition politics in multi-party system has given leverage to the minorities in policy making and addressing their socio-economic challenges. However, the recent single party dominance through Hindu nationalist agenda has led to fragmentation and marginalization of minorities.

In conclusion the multi-party system in India has both positive and negative outcome for minorities of both countries. In addition to provide a chance for representation and advocacy of rights, the multi-party system has caused polarization of politics with increased identity politics and communal tensions. The blind-eye towards minorities had hindered democratic process and socio-economic wellbeing of the respective minorities. These challenges need to be addressed for better socio-economic outcome of minorities of Pakistan and India.

# CHAPTER 4

# MAJOR FINDINGS, RECOMMENDATIONS AND CONCLUSION

## 4.1 Findings:

Pakistan and India contribute to the rich cultural heritage of South Asia and are home to a wide number of ethnic and religious minorities. These minorities play an important role in the socio-cultural factor their respective countries. Both Pakistan and India have adopted multi-party system to accommodate the voices of their ethnic and religious minorities. Moreover, both countries have framed their constitution to address the challenges and discriminations by their minorities. Despite the adaptation of democratic constitution and pluralist political process, the minorities of these countries often face discrimination and challenges. These challenges are embedded in the social and political factors of these countries. However, due to the sensitive nature of the topic limited and biased insight is available on the situation of minorities in both Pakistan and India. The current study aimed to explore the situation of these minorities and the impact of multi-party system on minorities rights and representation of Pakistan and India.

Multi-party system has significant affect on the minorities rights in Pakistan and India. The constitutions of both states have ensured numerous rights including fundamental rights, freedom of religion, freedom of speech, freedom of movement and safeguard to discrimination in education institutions, services and taxation. Despite framing constitutions while giving special emphasis on fundamental rights and special rights of minorities, multi-party system has adversely contributed to minorities rights during post-independence period. One main reason for this effect is the religious polarization of politics during election campaigns. In Pakistan where Muslims constitute the majority of population, political parties such as Muslim league and Jumaat-e-Islami has

actively campaigned religion in politics to mobilize the Muslim majority votes. Similarly, increases polarization of Hindutva in Indian politics has been observed throughout the last three decades especially by the BJP. This polarization has actively affected the minorities rights of both stated with the majority being involved in violation of minorities rights. Numerous instances of crimes by majority against the minorities have been reported which include killings, forced conversion, forces marriages, damage to properties and destruction of worship places. The minorities of both states are living in fear and are in need of special attention from the government of both Pakistan and India.

Another key factor that has adversely affected the minorities of Pakistan is imposing of blasphemy laws. Though the blasphemy laws were introduced to protect minorities and decrease communal violence, these laws have been misused throughout history. Cases of false accusation has been seen where the minorities have been falsely accused of blasphemy for reasons of personal enmity such as in case of Asia Bibi. Such cases have often led to countrywide protests and communal violence despite the lack of evidence. Additionally, the minorities are living in constant fear of death and false accusation of blasphemy laws in Pakistan. On the other hand, the anti-conversion bill in India and Madhya Pradesh Freedom of Religion ordinance has actively been used to favor the majority. The implementation of these bills has given rise to falsely accusation of minorities for forced marriages. Moreover, these bills are criticized internationally for its ability to act as an obstacle in conversion of Dalits to Christianity and Islam. Moreover, increased instances of crimes including destruction of churches and physical violence have been reported where the minorities are falsely accused for the violation of such laws. The judiciary of Pakistan and India are often considered as the last stronghold for minorities. The judiciary of Pakistan has recently made numerous decisions in favor of minorities. These decisions include handing over

the keys of mandir to Hindus, ordering the attacking mob to pay for the damages done to the properties of minority, nullifying various forces marriages and the Murree Brewery decision. Regarding Indian judiciary, limited data is available concerning the minorities however some decisions include acquitting Christians of false conviction of forced conversion.

The multi-party system of Pakistan and India has significant effect on the minorities representation in political system. The multi-party system of Pakistan and India provides its voters with a diverse range of ideologies. The minorities can vote for political parties that best align with their interests. Additionally, the increased competition and struggle for governance in multi-party system of both states to mobilize both the majority and minority voters. One strategy adopted in such systems is focus of minority representation in politics. Both Pakistan and India have at times represented minority candidates from difference religious and ethnic backgrounds to mobilize their voter. A major advantage of minority representation is that they are provided with a platform to advocate their rights and raise voice against discriminative policies. In Pakistan PPP has included minority candidates from since its beginning however more recently other political parties like PMLN and JI have also given candidacy to minority representative.

Numerous factors have adversely affected the political representation of minorities in Pakistan. These factors include the Islamization of constitution and the process of separate electorates for minorities in constitution of 1956 and 1962. Islamization of constitution has in one way excluded the minorities to be treated as general citizen of Pakistan. Similarly, the process of separate electorates has made it difficult for the minorities to campaign due to their dispersed population. Additionally, the majority representatives were not accountable to the minority representatives in separate electorates. In the year 2003, democratic principles were adopted by abolishing the process of separate electorates and introducing joint electorates were. Moreover,

seats were reserved for the minorities to ensure their proportional representation in politics and decision making. On the other hand, India has adopted secularism and excluded religion from politics as an attempt to tackle communal violence. Though Indian minority enjoyed this secularist constitution in the first three decades of constitution, the rise of BJP and Hindu nationalism has adversely affected the minority representation in politics. Additionally, the non-reservation of seats has also decreased the minorities representation.

The minorities of both Pakistan and India are actively facing violation of rights and discrimination. Additionally reports of killings, damage to property and destruction of worship places are actively seen on media. Both countries face challenges in ensuring equal rights to minorities and safeguarding them from discrimination. Regarding political representation of minorities, both countries differ significantly according to their political structure regarding minorities. In Pakistan, minorities were excluded from political system in the first 5 decades due to separate electorate. However, during the past two decades the political system has shifted to a more inclusive one with the introduction of joint electorates and reservation of minority seats. On the other hand, India enjoyed a more inclusive and secularist society with the separation of religion from politics. However, the rise of Hindutva (Hindu nationalism) in the past three decades has significantly affected the minorities of India. In Pakistan where the minorities have been given proportionate representation through reservation of seats, the minorities of India are deprived of proportionate representation due to a shift from secularism to increased polarization of religion. Despite the constitutional provisions and increased efforts to protect minorities, both countries still face significant challenges to ensure equal rights and effective representation of minorities. Discrimination, prejudices and communal tensions continue to affect the political landscape of both Pakistan and India. Both countries should put efforts for protecting and promoting minorities

rights, ensure equal, proportionate and effective representation and foster a more inclusive society irrespective of caste, creed or religion.

## 4.2 Future projections

The current study is pivotal to understand the future trajectory of minorities in Pakistan and India. Both countries are enriched with unique cultures and present contrasting yet intertwined narratives for their minorities. Over the past two decades, Pakistan has seen a drastic change toward a more inclusive society, driven by some major socio-political reforms. This noticeable shift indicates the countries potential to protect the rights of its minorities and improve their political representation. Conversely, India's politics has shifted from a pluralist society to Hindu focused politics which has adversely affected its minorities. Additionally, this political shift has raised concern about the erosion of democratic process and inclusion of minorities in politics and decision making.

In Pakistan, many judicial decisions have been made in favor of minorities despite of the major backlash and countrywide protests. By addressing issues like forced conversion, false allegation of blasphemy and property rights, the judicial system of Pakistan has helped the minorities against discrimination while ensuring their rights. These decisions have not only restored minorities faith in judicial system but also indicates an initiative towards a more robust nation. Despite these efforts the country is still a long way from a pluralist system. On the other hand, the legislative reforms under Hindu nationalist governments of BJP in India have favored majoritarian policies (Chacko, 2019). The continuation of BJP government may continue to marginalize its religious minorities however there might be some resistance from minority parties and opposition advocating for secularist society. Alternatively, if democratic alliance of opposition

parties such and INC interrupts the BJP government, they might direct the country on a more inclusive nation based on principles of secularism.

Regarding socio-economic inclusion, the government of both states continue to ignore the situation of minorities which poses a major threat to their socio-economic status. Both Pakistan and India should increasingly focus on empowerment of minorities. Domestic as well as international pressure has driven the government to take initiative in some prominent cases that surfaced in Pakistan and India. Moreover, the civil society of both countries play a crucial role in defining the socio-political outcomes for minorities. As polarization of religion continues to affect the minorities rights, civil societies and non-government organizations are continuously on the forefront to advocate their rights and safeguard them against discrimination. Another factor that significantly contribute to the situation of minorities is the role of media. The continuation of media to fuel the communal violence by spreading biased news will have dire effects on minorities of both Pakistan and India. The media of both nations should be free from interference and more investigative in order to advocate minorities rights. Moreover, it is the responsibility of media to promote a more inclusive and tolerant environment. Additionally, the media should provide platforms for minority voices.

The government of Pakistan has continued to focus on interfaith relations. These initiatives include restoration and opening of minorities worship places such Kartarpur corridor and Gurdwara Nankana Sahib. Such projects could foster understanding and cooperations between diverse religious communities of Pakistan. On the other hand, India has abolished numerous minority worship places in which Babri Masjid is a prominent case. If India continues to promote Hindutva, it may create obstacle in interfaith understanding and cooperations. International human

rights should continue to pressure both Pakistan and India regarding its unfair treatment of minorities to pressure their commitments and policies toward minorities.

Political representation of minorities has improved during the past two decades with the introduction of joint electorates and additional reservation of seats for minorities. This representation is expected to improve in future where minorities elected to public offices can continue to influence policy making. Though India has separated religion from politics, the non-reservation of seats in Hindu nationalist society has adversely affected the political representation of minorities. The continuation of Hindu nationalism in politics may continue to hinder the representation of minorities in politics. However, the coalition governments between major political parties and minority parties could provide a platform for minorities to advocate their rights and influence policy making.

Lastly, Military involvement and martial laws could significantly affect the effectiveness of multi-party system in safeguarding minority rights and representation. In Pakistan, military rule has suppressed political dissent and affected minorities especially in General Zia Ul Haq regime. In contrast, India has enjoyed a more stable democratic environment proving a conductive political system with fewer instances of martial laws. These martial laws have often suppressed the public voices, limited political representation and curtailed civil liberties. By ensuring that military of both nations especially of military of Pakistan remains apolitical could help the countries democratic process. Moreover, this will allow pave a path for a stable government which can prioritize interest of all citizens including minorities rights.

**4.3 Conclusion**

The current study is significant for proving an overview of the legal and political systems Pakistan and India and its impact on minorities of both countries. The study adds significant insight regarding the role of multi-party system on minorities rights and representation. Previous studies lack in its ability to analyze cross-cultural differences regarding the impact of multi-party system in Pakistan and India. Moreover, the published studies lack in its ability to provide evidence and include subjective bias. The current study makes in-depth analysis of minorities in both countries and provide evidences for its findings.

The findings of the study reports that minorities of both countries actively face discrimination and violation of fundamental rights. The numerous accounts of riots against the majority and minorities of both countries show the intolerance among their religious compositions. These accounts of religious intolerance have its roots buried in the pre-partition period. Moreover, the politicization of religion in both countries have further contributed to the marginalization of its minorities. In Pakistan where minorities suffer due to the Islamization of constitution, in India the failure to hold on to secular principles had no less impact.

Regardless of the challenges faced by minorities, multi-party system has significantly contributed to advocating minorities rights. On one hand, where some parties have adapted strategy of identity politics, other have adopted strategy of minority outreach to mobilize their voters. This diverse political ideologies in both countries have also provided the minorities with a choice to select from a political party that best suit their interests. Additionally, the political representation of minorities in multi-party system of Pakistan and India provides them with a platform to fight for their rights and influence the policies. Furthermore, the significant number of Muslim

minorities in India has made it possible for them to register their own parties and have a representative voice in governing assembly.

It is crucial to highlight that both countries differ in their electoral policies and structure. In the first few decades Pakistan imposed a system of separate electorates for the minorities which made it impossible for the minorities to campaign and reach their voters. Another obstacle that it created was the dominance of the majority representatives were not accountable to the minorities representative making the minority representatives with limited influence. However, the past two decades has witnessed a significant milestone towards democracy which include revoking separate electorates, reserving seats for minorities and additionally letting them represent in general elections. Regarding India, the country enjoyed a secularist society for the first three decades yet the last 3 decades has witnessed the Indian democracy to derail from secularism to a Hindu nationalist system. This significant rise in Hindu nationalism has led to the increased polarization of religion in politics. Furthermore, it has given rise to a system of single dominance party causing reduced political pluralism, weak opposition and authoritarian tendencies and policies. Additionally, the FPTF system makes it challenging for minority parties to win in constituency.

In brief, the reports concludes that minorities of Pakistan and India has seen significant violation of rights and discrimination. However, their condition has remarkably improved in terms of representation, political participation and upholding of rights. This increased representation has made it possible for minorities to advocate their rights and influence the policy and decision making. Regardless of this progress, minorities still face challenges of discrimination, violation of rights and communal violence. Moreover, the challenges of forces conversion, physical harm and destruction of worship places still persist in both countries.  Recently, Pakistan has seen a stride in its democratic progress while becoming a more inclusive and secularist nation while the recent

trajectory of India from secularism to Hindu nationalism is concerning for its minorities. Despite the advancements in political participation and representation, both Pakistan and India are still in considerable distance from safety of its minorities and an inclusive pluralist society. Both countries should make efforts and take steps to ensure safety of their minorities, religious freedom and creating a more tolerant, accepting and inclusive environment.

Though Kymlicka states that there should be certain degree of autonomy where minorities can govern in certain areas, minorities of both Pakistan and India are significantly lacking behind in achieving such level of autonomy. Minority rights theory stresses that both individual and collective rights should be guaranteed to minorities however the findings reveal that though the legal frameworks of both Pakistan and India has framed fundamental and special rights of minorities, both countries fail to effectively enact such laws. Moreover, minorities in Pakistan and India are frequently subjected to violence, abduction, forced conversions, destruction of property and worship places, extrajudicial killings and coerced marriages. Similarly, Kymlicka criticize policies which forces the minorities to abandon their cultural and religious values. In contrast, minorities in both countries are facing forced conversions and other forms of coercion by the majority. Regarding political representation, Regarding political representation, Kymlicka advocates for proportionate representation of minorities. Although Pakistan has implemented measures such as reserving seats for minorities to ensure proportional representation, minorities in India are significantly underrepresented in the political sphere. Lastly the effectiveness of minority representation in both Pakistan and India remains inadequate.

**4.4 Recommendation:**

**1. Independent judiciary:** Independence of judiciary is important to ensure to uphold justice and equal rights for all citizens especially minorities. An independent judiciary operates free from

political and other external pressures to uphold the law and deliver justice to minorities without any type of bias. Both Pakistan and India should safeguard its judiciary from political and other external pressures to ensure equal rights and justice to its minorities. Additionally, the states must improve the legal aid services so minorities can have easy access to legal advice and representation especially in rural and marginalized areas. Such independent judiciary is crucial to render decisions involving injustice, discrimination and violence against minorities based on legal principles and evidence, and free from any kind of political involvement and external pressure. Independent judiciary will reinforce minorities confidence in seeking legal redress and protection by fostering a sense of trust and fairness in minorities.

**2: Legislative Reforms:** Both Pakistan and India should regularly update and strengthen its laws to properly address emerging issues and gaps. Moreover, both states should ensure that all its laws are comprehensive and cover all aspects of discrimination, violence and violation of rights. Both states should clarify and amend its laws to prevent its misuse and ensure safeguard against abuse. In Pakistan, the blasphemy cases must be thoroughly investigated and transparent decisions must be rendered without any kind of political or external pressure. Similarly, the anti-conversion laws should be reviewed to clarify between voluntary and forced conversion. Moreover, stringent checks should be established to prevent misuse of anti-conversion laws and ensure its citizens to freely practice their religion or change their faith.

**3. Ensuring Political Representation and Participation:** Pakistan and India should bring electoral reforms to ensure free and fair representation of minorities. Moreover, minority leaders should be involved in both political and public services. Furthermore, the minority representatives must be involved in both decision and policy making which will ensure that their needs and concerns are addressed properly. This is only possible through reservation of proportionate seats

based on their respective population. Additionally, it must be ensured that this representation is not just symbolic but effective. Such representation will give a voice to minorities in political process and decision making, and provide them with a platform to effectively advocate their rights.

**4. Responsibility of executives upholding justice:** Executives play a crucial role in improving the situation of minorities. It is essential for executive of both Pakistan and India to implement and champion inclusive policies that ensure fairness and equality. This involves promoting diversity in hiring and promotion and establishing clear anti-discrimination policies. Additionally, executives should institute and enforce policies that promote diversity, equity, and inclusion within the state. Moreover, executives should drive organizational practices aimed to address and decrease inequities, violence and discrimination. Lastly, they should develop and implement comprehensive anti-discrimination policies, create clear channels for reporting and addressing grievances related to minority issues, and ensure that these policies are consistently applied.

**5. Promote inclusive and tolerant community:** Fostering an inclusive and tolerant community is crucial to enhance the situation of minorities. This can be achieved by supporting community engagement programs to increase interaction between different ethnic and religious groups to build mutual respect and collaboration. Media should also play their role in fostering a tolerant society by running awareness campaigns and highlighting positive stories of diversity aimed to challenge discriminatory attitudes. Lastly the minorities should be encouraged to actively participate in political and civil life and advocate their rights.

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