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# **Apostasy from Islam**



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## **Explanation of sources**

The information used in this report was collected in February 2019 in Pakistan, through conversations with several Pakistani politicians, NGOs, and civilians.

## 1. Synopsis

Pakistan's government does not officially prohibit the renunciation of the Islamic faith. In practice, however, it is made difficult for Muslims to change their religion. NADRA does not entertain requests to change the religion of someone who is registered as a Muslim, making it impossible to officially leave Islam.

In addition, converts from Islam bear the risk that someone may accuse them of apostasy and thus blasphemy, a crime holding the death penalty. In addition, the notion is widespread in society that apostates should be killed. Converts risk at any moment being killed by family members or other radical Muslims. Saving the honor of the family plays a significant role in this regard.

Subsequently, there are no laws in Pakistan criminalizing inter-religious marriage. Islamic teaching however does not support marriages between Muslim women and non-Muslim men. Women who are officially registered as Muslim (but are practicing another religion) would encounter numerous difficulties if they would try to marry a non-Muslim man. Religious intolerance makes such marriages impossible.

It is difficult for converts to relocate. First, converts need enough financial means to start a new life somewhere else. Second, some Muslims have vast networks throughout the country and are able to easily find people in the whole of Pakistan. Consequently, the new community where the converts decides to settle should not find out that he or she is still officially a Muslim but practicing another faith. This, however, is very challenging in a country with close-knit communities. Therefore, generally, converts from Islam do not show the outside world that they left Islam.

## 2. Introduction

Pakistan was among the nations recently designated by U.S. Secretary of State Mike Pompeo as a "Country of Particular Concern under the International Religious Freedom Act of 1998 for having engaged in or tolerated 'systematic, ongoing, and egregious violations of religious freedom.'"<sup>1</sup> In addition, the United States Commission on International Religious Freedom has also marked Pakistan as a Country of Particular Concern.<sup>2</sup>

For Muslims who convert to another religion, life is not easy. The society as well as the government makes it difficult for them to live in Pakistan. This report will elaborate on the difficulties and threats which converts face.

## 3. Mary's story

Mary, her husband Ashiq, and their four children have been on the run for years. Mary was born as a Muslim and had a Muslim name. When she was 22 years old she converted to Christianity. When her family became aware of her conversion, they threatened Mary repeatedly and locked her in her room. Mary fled from her family and found refuge in a church. During that period, she was baptized and married a Christian man.

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<sup>1</sup> <https://www.state.gov/secretary/remarks/2018/12/288006.htm>

<sup>2</sup> <https://www.uscifr.gov/all-countries/countries-of-particular-concern-tier-1>

Mary had the misfortune of descending from a family with extremist Islamic beliefs. Her brother had joined a terrorist organization and threatened numerous times to kill her and her husband if she did not return to Islam. Islam prohibits apostasy and in addition Pakistan is an honor-oriented culture. The conversion of Mary to Christianity is considered a great shame to her family. People kill their own family members in order to restore the family's honor. This is also known as honor killings. After 22 years, Mary and her husband are still hiding from her family.

## **4. Officially changing your religion**

Pakistan's government does not officially condemn the renunciation of the Islamic faith. In practice, however, it is made very difficult for Muslims to change their religion.

The National Database and Registration Authority (NADRA) is in charge of the registration of persons and their faith. Generally, Pakistanis are unable to change their religion from Islam to another faith because NADRA does not entertain the application. Conversely, NADRA does allow a person to change their religious designation from a minority religion to Islam without any problems.

Mary's conversion took place more than 22 years ago. At that time there was not yet a computer system in Pakistan. But, through certain astute ways she was able to change her religion from Islam to Christianity. This allowed Mary to marry a Christian man and register her children as Christians. Changing from Islam to a minority religion is not possible for converts anymore because everything is now computerized.

## **5. Marriage**

Even though the Pakistani law does not prohibit it, Islamic teaching does not allow Muslim women to marry non-Muslim men. Religious intolerance makes such marriages impossible in Pakistan. Muslim women who (secretively) have converted to another religion and wish to marry a non-Muslim man could face severe difficulties. Some couples opt to live together without officially marrying. Such situations can be life threatening since society and their families often consider harming the couple necessary for religious reasons or to save the family's honor.

Conversely, Islamic teaching allows Muslim men to marry non-Muslim women. Islamic regulations stipulate that a Muslim man can marry a 'woman of the book', which means a Christian or a Jewish woman. According to local sources, such marriages happen, but it is custom that such women convert to Islam to appease the family. Her name will subsequently be changed to an Islamic name. Nonetheless, there are possibilities for a (former) Muslim man to marry a non-Muslim women, however if suspicion arises that he might be converted he faces great risk.

## **6. Consequences of apostasy**

According to Pakistani law there is no provision against leaving Islam. In practice, however, NADRA does not entertain any changes from Islam, rendering such a possibility futile. Professor of Law, Javaid Rehman, who investigates 'the uses and abuses of certain interpretations of Sharia law and the Quran', wrote in a 2010 publication:

'Apostasy (also known as Ridda) occurs when a Muslim (by his words or actions) renounces and rejects Islam. Rejection or criticism of the All Mighty or His Prophet is perceived as an insult to Islam, offensive

and routinely regarded as blasphemous... Blasphemy connotes the insult of God or Prophet Mohammad and other revered figures in Islam and can be committed by believers and non-believers alike. Apostasy from Islam and blasphemy against Islam therefore remain (and have always remained) unacceptable.<sup>3</sup>

Converts from Islam risk being accused of blasphemy, an offense that carries a capital punishment. The belief that those who leave Islam should be killed is widespread and supported by society. Many risk being killed by family members or any other persons who share this conviction. Due to the honor-oriented culture in Pakistan, closely related persons can seek revenge on those that disgrace the family or community by leaving Islam.

JUI-F Senator and religious scholar mufti Abdul Sattar is member of the senate since March 2012 and is member of Jamiat Ulema-E Islam. He indicates that according to the rules of Islam, the death sentence should be given to those who commit apostasy. According to Sattar, an apostate should initially be given a three-year prison sentence in order to give the person time to reflect upon his decision. If the person, after three years, does not return to Islam that person should be killed.<sup>4</sup>

Even though such laws do not exist in Pakistan the idea is widely supported in society.

In 2007, a bill to impose the death penalty for apostasy for males and life imprisonment for females was proposed in Parliament but failed to pass. Nevertheless, some scholars believe that the principle that “a lacuna in the statute law was to be filled with reference to Islamic law” could potentially apply to the crime of apostasy.<sup>5</sup>

In 1990, a Christian convert who was accused of insulting the Prophet was denied bail by a Sessions Court and an Appeals Division of the Lahore High Court on the basis that his conversion from Islam to Christianity was a cognizable offense, even though there was no such specific offense in Pakistan’s Penal Code.<sup>6</sup>

Furthermore, it is possible that a Mullah is notified about an apostate. The Mullah will then issue a fatwah and a male cousin or family member will then try to kill the apostate.<sup>7</sup> It has been reported in Pakistan that people renouncing Islam are killed even decades after their conversion. Some see it as their task to restore the honor of Islam.

## 7. Error from NADRA

It occurs that NADRA, upon issuance of a new identity card, mistakenly registers individuals from a minority religion as Muslims. Even upon repeated request, NADRA has not shown itself willing to rectify the error. A person however can suffer tremendously from its consequences. In addition to legal difficulties, the person practicing a minority religion can be perceived as a converted Muslim which can put the individual’s life at risk.

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<sup>3</sup> Centre for Crime and Justice Studies, ‘Freedom of expression...’, (page 4), March 2010, <https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627250903569841.pdf>

<sup>4</sup> <https://tribune.com.pk/story/1366268/man-interfaith-parents-wins-right-religion-choice/>

<sup>5</sup> Ambtsbericht Pakistan 2014, <https://www.rijksoverheid.nl/documenten/ambtsberichten/2014/11/20/pakistan-2014-11-20>

<sup>6</sup> Amnesty International, Use and Abuse of the Blasphemy Laws, ASA/33/08/94 (July 1, 1994), available at <http://www.refworld.org/docid/3ae6a9aa4.html>.

<sup>7</sup> CSW, ‘House of Lords Hearing’, (pages 2-3), 10-11 November 2015, <https://appgfreedomofreligionorbelief.org/media/CSW-submission-Parliamentary-Inquiry-Pakistan-031115.pdf>

A Christian member of the Punjab parliament was shocked to learn that NADRA had registered him as Muslim even though his family had been Christian for generations. NADRA refused to rectify the situation initially.<sup>8</sup> After pressure from the government the error was corrected. For those having less significant connections and positions, the error sometimes is never rectified.

## **8. Right to religious freedom**

Pakistan has signed the International Convention on Civil and Political Rights (ICCPR). Article 18 of this treaty states:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

The Pakistani constitution states in article 20 that every citizen shall have the right to profess, practice and propagate his religion.

It is essential that Pakistan implements and enforces these fundamental rights.

## **9. Relocation**

Converts from Islam face great challenges if they wish to resettle within Pakistan. One of these challenges is that they need a substantial amount of capital in order to start a new life in a different place. However, finding work is generally difficult and due to their conversion individuals are unable to count on the support of their family anymore, which in Pakistan is often needed to survive. It is customary for Pakistani families to live together in order to afford rent and other basic needs. Usually, the poor and those with little education cannot afford to resettle.

Moreover, Pakistan's networks are large, therefore if a fatwa is issued against an individual or if he or she is targeted by radical Muslims, that person will potentially have to hide forever. There are known cases of people that have been in hiding for years. They continue to receive death threats and their family continues to be harassed.

Converts also endure hardship as they settle into a new community. If the new community discovers that according to the identity papers the individual is a Muslim while he or she is practicing another religion, the news will spread quickly, and the individual will be harassed and potentially even killed. There will be numerous situations where a person has to provide identity papers, for example when enrolling for education or applying for a job.

Problems are even more severe for Muslim-registered women who practice another religion and live together with a person from that other religion. Such situation is hard to hide from society and could have dangerous consequences for the couple.

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<sup>8</sup> <https://tribune.com.pk/story/367720/righting-wrongs-nadra-changes-mpas-religion-to-christianity/>

It is possible for apostates to live a reasonable safe life in Pakistan. This is feasible as long as the individual has enough money, a good job, and is silent about his conversion. Higher educated Pakistani, who for example have studied abroad, are more tolerant and show understanding regarding conversions. However, even in those circles it is not always safe.

For Mary it is impossible to hide her conversion. Mary's ID shows her distinct Islamic name. Persons that would see her ID card would know she was born as a Muslim. Mary now is practicing Christianity and is married to a Christian man, making her an apostate. At each place where she has to show her ID card it leaves her vulnerable to discrimination and at risk of being killed. Mary now is working for a Christian school which protects her. She lives together with her family in fear because even decades after her conversion her family can seek revenge and try to kill her.

Many times, Mary has tried to hide. However, it is very difficult to find enough money to start a life in a new place. Mary's parents in law are scared to take her into the house because Mary's family have shown to be aggressive and dangerous.

## **10. Returning to Islam**

Mary explains that her brother urged her to return to Islam together with her husband and children. They promised her money, work, a car, and other advantages. Mary explains that she will not and cannot consider this. She consciously chose to be Christian and has strived hard to remain one. In addition, she is aware that even if she would return to Islam, she and her family will not be safe. In the heart of Muslims, she will remain a person that was infidel to Islam and someone can seek revenge at any moment.

Furthermore, offering her money and other advantages can be used as a trick to convert them back to Islam. Mary estimates that these promises will not be kept after conversion. Once they have registered themselves as Muslims, the government system will not allow them to reverse that decision and they will be trapped as a family. When their children come of age they will not be able to marry Christian spouses and it will be dangerous to practice Christianity.

## **11. Hiding your conversion**

There are numerous Muslims who live a reasonably good life while hiding their conversion from their family and friends. If their conversion is revealed they risk being ostracized, harassed, or killed. It is generally accepted that Muslims attend church services or request prayers for healing or exorcism. The level of acceptance depends on the religious nature of their surrounding community. This way they can, to a certain extent, practice their religion and visit places without being noticeably converted.

In Mary's case her family discovered early on that she converted to Christianity. Because she comes from a radical Muslim family her conversion directly endangers her life. Mary's identity card shows her real name, which is clearly a Muslim name, she is married to a Christian man, and she practices Christianity. Due to these factors, Mary's community may easily realize that she is an apostate from Islam.

Mary continues to live in Pakistan with her children out of lack of opportunity to flee abroad. But she has no long-term future in Pakistan. The society and the government system render her life difficult and perilous in numerous ways.

## **12. Recommendations**

- The government must actively affirm the right of Muslims to adopt another religion.
- The government should facilitate and make it officially possible to change the religion of a Muslim.
- Information about the religion of a person should not be mentioned on identity papers and official documents.
- School curriculum should include education about approaching conversion and mixed marriages in a positive way in line with human rights conventions.
- Police officers and government employees should protect converts and ensure they are able to practice their new faith.

## **13. Contact:**

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