

Islam and politics in Pakistan (1906-1985): a political perspective

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A. The Pakistan Movement

The continuously exacerbating concerns of Muslims vis-à-vis Hindu domination, together with domestic and international environment of decolonization, eventually led to the demand for a separate homeland for Muslims in India (Cohen, 2005: 25-37). It was the realization amongst the Muslims of their ebbing political and cultural status in the face of Hindu domination over Indian politics that ushered in nationalism on the basis of religion, rather than territory. This became the underpinning of the “two-nation” theory (Pande, 2011), which should be considered a direct outcome of the following three political developments in the Indian subcontinent before 1940.

1. Partition of Bengal and creation of the Muslim League

The Muslim League was formed by concerned Muslim Indian leaders as a direct fallout of events that unfolded amidst the short-lived partition of Bengal, which is discerned in this research as the first watershed in India’s history that prepared the ground for exclusivist Muslim political struggle in the 20th century.

The partition of Bengal in 1905 was not well received by the Hindus. They accused the government of favoring the Muslims by affording them a province where they formed a majority. The educated Hindus were loath to relinquish the opportunities they enjoyed in the undivided Bengal, which was a Hindu-majority province. They feared that creation of a Muslim-majority province out of Bengal would diminish the monopoly and influence they enjoyed throughout the region. Thus, ferocious Hindu agitation against the partition of Bengal ensued as a result of which the Muslims were alienated (Aziz, 2009: 25-26).

The agitation against the partition of Bengal degenerated into violence. Four attempts were made to assassinate the Lieutenant Governor of Bengal. Lord

Minto, the viceroy of India, too, escaped an assassination attempt in Ahmedabad, while his political secretary was shot dead in London. A bomb targeting a district magistrate in Bengal left two English women dead, while a Bengali prosecutor was gunned down (Sayeed, 2012: 26). The Hindu Mahasabha, which was a manifestation of violent Hinduism, violently resisted the partition of Bengal and ultimately forced the British to revoke it. Meanwhile, Indian National Congress also did little to thwart the social disorder in Bengal (Ziring, 2005: 4). Mired by insecurities vis-à-vis the Hindus, the Muslims were compelled to form an exclusivist political party, the All-India Muslim League, in 1906 (Aziz, 2009: 29).

2. The Khilafat Movement

The second defining moment that eventually compelled the Indian Muslims in general and Muhammad Ali Jinnah in particular to part ways with the Indian National Congress was the Caliphate Movement. Gandhi became one of the flag bearers of the movement. Meanwhile, Jinnah viewed the Caliphate Movement with disdain, and decried Gandhi's tactics as leading the masses astray. Moreover, the period following the failure of the Caliphate Movement broadened the cleavage between the Hindus and Muslims of the subcontinent as both religious groups viewed each other with suspicion (Akbar, 2011: 166-189). Events that unfolded after the movement inclined Jinnah towards the "two-nation theory" (Ziring, 2005: 8).

Although it initially appeared that the movement would come to fruition, it fizzled out as a result of three untoward or unforeseen incidents. First, deeming national liberation as social emancipation, the Muslim Moplahs of Malabar killed and looted their Hindu landlords in August 1921. This had adverse effects on the Hindu-Muslim unity, which was seen as a product of the Khilafat Movement. Second, the Chauri Chaura incident took place on February 5, 1923. After the police opened fire on unarmed protesters in the village of Chauri Chaura, 22 policemen were burnt to death in retaliation. Gandhi announced to call off his Non-Cooperation Movement after the incident, leaving the Khilafat cause in the doldrums. Third, the Grand National Assembly of Turkey abolished the institution of Caliphate in October 1924. Maulana Abul Kalam Azad, who was one of the most prominent leaders of the Khilafat Movement, subsequently advised the

Muslims of India to leave Turkey to its own fate and focus on issues closer to home (Kazimi, 2009: 103).

The Khilafat Movement had adverse implications for Indian politics. First, the movement politicized religion as Gandhi, along with Muslim leaders, appealed to the religious sentiments of the masses. Second, the movement led to grim apprehensions of the Muslims about Gandhi and his sincerity with the community. They felt abandoned and betrayed as they had to bear the brunt of the failed movement. Meanwhile, suspicions emerged that Hindus did not suffer as much as Muslims did for a cause which was deemed 'Indian' in essence. Third, Muslim nationalism was stirred up as a result of the events that surrounded the Khilafat Movement. Muslims, who participated in the movement in an organized manner, were awakened from their slumber.

3. Defeat of the Muslim League in the 1937 elections

The ignominious defeat of the All-India Muslim League in the 1937 elections marked the third watershed in Muslim struggle in the subcontinent during the 20th century. Jinnah remained a profound student of liberal Hindu thinkers; he championed Hindu-Muslim unity and heterogeneous cultural traditions. He believed in inter-religious harmony and cooperation. After the 1937 elections, Jinnah insisted on Congress acknowledging the Muslim League as an "equal" counterpart. However, the Congress ruled out any such possibility and argued that it was the sole genuine national party in India. Controlling all ministries in the provinces, Congress accorded opportunities to Muslims only as long as they were members of the party. Hoping that the Muslim League would soon cease to exist, the Congress turned down its demands of inclusion in the government. Dismayed by the attitude of the Congress, the Muslim League reckoned it to be vindication of the qualms about the former's propensity for secularism. Therefore, the Muslim League rekindled the "Islam in danger" pronouncement in face of suspicions that Congress was merely a vanguard of Hindu hegemony in Indian national politics (Ziring, 2005: 17-21).

The aforementioned three events dissipated the prospects of political reconciliation between the Muslim League and the Congress. The end of the Congress rule prepared the ground for the passage of the famous Lahore

Resolution of 1940. Soon afterwards, the Muslim League endeavored to create a separate homeland for the Muslims of India in the form of Pakistan.

The politics of Islam

It is paramount to conceptualize that Islam was used by the Muslim League as a means for uniting the disparate Muslim community in the subcontinent. This eventually paved the way for the party's electoral victory in the 1945-46 elections. Ziad Haider produces the following excerpt from historian Ayesha Jalal's book to elucidate the role of Islam in the politics of the Muslim League:

“Jinnah's resort to religion was not an ideology to which he was ever committed or even a device to use against rival communities; it was simply a way of giving a semblance of unity and solidity to his divided Muslim constituents” (Haider, 2011: 114).

While the independence of Pakistan can be considered the triumph of the two-nation theory, it must also be borne in mind that Jinnah was able to create cohesion amongst the Muslim leadership in India as well as drum up support of the masses by utilizing the Islamic rhetoric and keeping the ultimate goal of Pakistan obscure and imprecise. One of the results yielded as a consequence of this strategy was that “India's Muslims demanded Pakistan without really knowing the results of that demand.” (Haqqani, 2005: 5-6)

The main support for the Muslim League originated in the Hindu-majority areas. It was essential for Jinnah and the Muslim League to prove that they represented the Muslim-majority provinces if they were to play a meaningful role in framing the future constitution of India. Such support would have been difficult to garner with a too precisely delineated political program since the Muslims of India constituted a heterogeneous and disparate group. A socio-economic program aimed at mobilizing the masses could also not be useful as it would have ensnared the powerful Muslim landed gentry. Jinnah's only option was recourse to religion for mobilization of the Muslim masses. However, Jinnah's decision did not predicate on his ideological or religious proclivities owing to the fact that he was a politician known for his secular leanings because of which he had earned the title of ‘ambassador of Hindu-Muslim unity’ and also invited the wrath of the religious clergy on

several occasions. In fact, Jinnah used religion to bring about a semblance of unity and solidity to the divided Indian Muslims. (Jalal, 1999: 16-17).

It was against this backdrop that the Muslim League enlisted support of the religious clerics in a move to woo the masses. For instance, Maulana Shabbir Ahmad Osmani joined the Muslim League bandwagon and exhorted the Muslims to support Jinnah in his struggle to form an Islamic state. Slogans were raised that held opponents of the League as enemies of Islam and the true interest of Muslims. Maulana Osmani was reported to have announced during a conference in Meerut that:

“Any man who gives his vote to the opponent of the Muslim League, must think of the ultimate consequence of his action in terms of the interests of his nation and the answers that he would be called upon to produce on the Day of Judgment.” (Sayeed, 2012: 202-206)

Other religious figures like the Mir of Manki Sharif, Maulana Zafar Ahmed Ansari and Maulana Abdul Khan Niazi also supported the cause of the Muslim League. Later, Jinnah also acknowledged the service rendered by the *ulema* for the Muslims of the subcontinent (Ibid).

B. The post-independence narrative

Although there was disjunction between Pakistan’s political structure and religion at the time of the country’s inception in 1947, religious powers began exerting pressure to ensure that the newly formed state was declared an Islamic republic (Hashmi, 2009). The state of Pakistan soon embarked upon the policy of transforming itself into an Islamic ideological country (Haqqani, 2005: 16). The military and political elite of Pakistan asserted the Islamic ideology to orchestrate cohesion amongst the general population vis-à-vis external threats, and cope with internal threats ranging from political dissidents to divisive factors (Haider, 2011: 115-118). Pakistan faced threats from India immediately after independence; therefore, the country’s leaders used religion for national identification and integration (Haqqani, 2004-05).

Apart from the above-mentioned factors that have exacerbated politicization of Islam, domestic circumstances like vulnerable political and economic resources as well as the military’s compulsion to legitimize itself have contributed towards the fortification of political Islam in the country.

Furthermore, external engagements like recruitment of the Mujahideen in Afghanistan as well as Kashmir added fuel to this fire (Wirsing, 2004: 170).

The Objectives Resolution

The Objectives Resolution was the first legal document in Pakistan's history that incorporated religion into the country's governance structure and politics. It laid the basic foundation upon which the Constitution was to be framed, and broadly outlined its structure. The resolution was floated before the country's first Constituent Assembly on March 7, 1949. It created polarization in the House along religious lines as all non-Muslim members vociferously opposed it; while all Muslims members, except one, clamored for its adoption. The resolution encapsulated various references to Islam; for instance, it declared that sovereignty of the entire universe belonged to God, who had delegated this authority to the State through its people for being exercised within the restraints prescribed by Him as a sacred trust. Moreover, the resolution obliged the State to embark upon "principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam". The resolution also called for provisions to enable Muslims to order their lives in accordance with Islamic injunctions (Mehdi, 2012: 11-12).

Since its very inception, the Constituent Assembly faced immense pressure to metamorphose Pakistan into an Islamic state; this demand emanated from religious clerics from both within and outside the government, as well as religious parties like the Jamaat-i-Islami and Majlis-e-Ahrar-e-Islam (Parveen, 2010). As the country was beset with a range of problems, including strained relations between the centre and provinces, the role of Islam was amplified for nation-building. As a corollary, the flag-bearers of Islam were emboldened after the independence of the country (Nasr, 1994: 116). Moreover, it was imperative for the policymakers to mitigate – if not exterminate – the external real and perceived threats vis-à-vis India that marred an ethnically fragmented Pakistan. Thus, religion was employed as an instrument to carve out internal cohesion in the face of real and perceived internal and external threats (Haider, 2012: 115).

It is worth mentioning that then Prime Minister Liaquat Ali Khan, who was the architect of the Objectives Resolution, did not have roots in the newly formed Pakistan as he had spent most of his time in north India before 1947

(Cohen, 2005: 7). Likewise, many members of the Constituent Assembly were elected from constituencies in which they were not even domiciled. Example included Sardar Nishtar, who was elected from Punjab, and Liaquat Ali Khan, Maulana Shabbir Osmani, Khan Abdul Qayyum Khan, Dr Ishtiaq Hussain Qureshi, Malik Ghulam Muhammad and Dr Mahmud Hussain, who were elected from East Pakistan (Afzal, 2011: 11). Thus, it can be argued that it was pivotal for these politicians to rally public support through ramping up the Islamic rhetoric.

The Muslim League comprised two groups of Muslims; the first was the leadership cadre which was elitist and westernized, while the second was made up of masses that were amenable to the religious rhetoric of the clerics. Before the creation of Pakistan, the Muslim League was gratifying the wishes of both the groups. The elitist group was being served the opportunity to capture power and influence sans Hindus, while the vague religious urge of the common supporter of the party was also accommodated (Sayeed, 1998: 180). This picture changed profoundly after Pakistan became a reality. The elitist group of the Muslim League assumed leadership of the new country; however, the aspirations of the group of people that wanted to establish an Islamic state remained unfulfilled in the holistic sense. That was why pressure groups within and outside the nascent government started to embark upon endeavors to Islamize the state of Pakistan.

As early as March 1948, the Barelvi group¹ of Islam's Sunni sect established Markazi Jam'iyyat ul-Ulema-i-Pakistan (MJUP), the first religio-political group of Pakistan after 1947. Though the MJUP kept itself aloof from electoral and parliamentary politics due to dearth of organization, the group demanded an Islamic Constitution in the country on September 22, 1947. In pursuit of the same, the religio-political party presented three drafts to Jinnah and subsequently to the Constituent Assembly of Pakistan on different occasions (Ahmad, 2007).

Other religious groups were quick to follow suit. The Jamaat-i-Islami, which had opposed the Pakistan Movement, spearheaded the campaign aimed at enacting an Islamic constitution in Pakistan (Ahmad, 1967). Maulana

¹ Barelvis actively participated in the Pakistan Movement on purely religious basis, hoping that the new state would be religious in character.

Maududi, the leader of Jamaat-i-Islami, urged his disciples to refuse to pledge allegiance to Pakistan until the state adopted an Islamic constitution (Jackson, 2011: 71). By the start of 1948, Maududi initiated a concerted campaign for Islamization of Pakistan. On January 6 and February 19, 1948, Maududi delivered two lectures at the Law College in Lahore, putting forward a coherent plan to frame the constitution in line with the teachings of Islam. Subsequently, in April and May 1948, Maududi delivered a series of lectures on the same theme across the country. On top of these ventures, he also attempted to exert pressure on the Constituent Assembly to Islamize the country and its impending constitutional structure (Nasr, 1994: 116-122).

Moreover, a Shariat group was formed in the Muslim League in 1948 to work for establishing an “Islamic order” in Pakistan (Malik, 2011: 41). Although the Muslim League maintained a secular outlook, Islam was acceptable to it on the premise that it was deemed *sine qua non* for nation-building in Pakistan (Cohen, 2005: 167).

It was in this context that the Constituent Assembly made headway towards drafting a constitution in March 1949 by adopting a resolution on the “Aims and Objects of the Constitution,” commonly known as the Objectives Resolution. It was unfortunate that the Objectives Resolution split the House along religious lines. It is believed that the resolution stirred up feelings of suspicion, alienation and distrust amongst the religious minorities against the majority. Accepting some of the amendments put forward by the minority members would have proved instrumental in reaching consensus on the issue. It must be mentioned here that some of the 17 amendments put forward by the religious minority members were reasonable and prudent with respect to the broader national interest (Khan, 2011: 59).

Rise of vigilantism

A full-fledged anti-Ahmadi agitation erupted in Pakistan, particularly in the most populous province Punjab, where Ahmadiyya community’s claim with regard to founder Mirza Ghulam Ahmad was seen as contrary to the orthodox Islamic belief that Prophet Muhammad was the last messenger of God (Nawaz, 2008: 86). The agitation movement was spearheaded by the clerics, who demanded that Ahmadis should be declared as a non-Muslim minority; Zafarullah Khan, a staunch Ahmadi, should be dismissed as

Pakistan's foreign minister; and Ahmadis should be removed from all key positions in government. The government refused to cave in to the demands, arresting the clerics and imposing martial law in Lahore, the nerve centre of anti-Ahmadi disturbances, which were quelled (Saeed, 2007).

Islamizing the laws

As the religious forces were emboldened, a series of Islamic provisions were systematically incorporated into the constitutions of 1956 and 1962, both of which were abrogated as a result of martial laws. The following Islamic clauses were incorporated into the 1973 constitution, which is legally enforceable in Pakistan hitherto: (Rehman, 1997).

Article 1 of the constitution pronounces the country as the Islamic Republic of Pakistan.

Article 2 declares Islam as the state religion of Pakistan.

Article 2A encapsulates the Objectives Resolution of 1949, and was incorporated into the constitution as its integral part on March 2, 1985 by then President General Zia-ul-Haq.

Articles 31, 37 (h), 38 (f) and 40 pertain to responsibilities of the State with respect to the religion of Islam.

Article 31 obligates the state to embark upon steps to enable the Muslims of the country, individually and collectively, to order their lives in consonance with the basic concepts and teachings of Islam.

Article 37 (h) mandates the state of Pakistan to eliminate the consumption of alcoholic liquor. However, usage of alcohol for medical and, in case of non-Muslims, religious purposes is permitted.

Article 38 (f) declares it a duty of the state to abolish *Riba* (interest) at the earliest.

Article 40 emphasizes consolidating relations with Muslim states as well as promotion of international peace.

Article 41 declares a non-Muslim citizen ineligible to become the President of the state.

Article 62 (d) stipulates that a person, who is known to have contravened Islamic injunctions, shall not be elected or selected as a member of parliament.

Article 62 (e) propounds the prerequisite for a Muslim, striving to be elected or chosen as a parliamentarian, to possess sufficient knowledge of Islamic teachings as well as rituals, and refrain from major sins.

Article 227 (1) obliges the state to bring all existing laws in consonance with the injunctions of Islam as enunciated in Quran and the *Sunnah*.

Article 227 (2) pronounces that no law, which is inconsistent with Islamic injunctions, shall be enacted.

Article 228 provides for the establishment and balanced constitution of the Council of Islamic Ideology by the President.

Article 229 entitles the President of Pakistan, Governor of a province, parliament, and a provincial assembly to file a reference before the Council of Islamic Ideology, asking the body to ascertain any discrepancy between a proposed law and Islamic injunctions.

Article 230 enlists the Council of Islamic Ideology's functions, which include making recommendations as to how Muslims should be enabled and encouraged to mould their lives in accordance with Islamic values and teachings.

Bhutto's era

The 'Ahmadi question' resurfaced at the national level in 1974 when clerics, religious organizations and religious-political parties revived their agitation against the Ahmadi community. As pressure on Prime Minister Zulfikar Ali Bhutto mounted, he budged and announced that parliament would offer deliberations on the issue. The parliament passed the Constitution (Second Amendment) Act in September 1974, which declared Ahmadis as non-Muslims. It added a new clause (3) to Article 260 of the constitution providing that a person who did not believe in the absolute and unqualified finality of the Prophethood of Muhammad (PBUH), the last of the Prophets, or claimed to be a prophet in any sense of the word or of any description whatsoever after Muhammad (PBUH), or recognized such a claimant as a prophet or a religious reformer, was not a Muslim for the purposes of the constitution or law (Mahmood, 1990: 1038).

Bhutto's political slogan had been 'Islamic socialism'. He had stressed that "Islam is our faith, democracy is our polity, and socialism is our economy." (Jafri, 2011: 70-71) However, Bhutto soon found himself capitulating to the *Mullah*, as a result of which he had to compromise on the last two in favor of the first. Even before the Ahmadiyya controversy surfaced, Bhutto had started appeasing the religious lobby as his popularity amongst the masses declined. For instance, Kausar Niazi, who had become prominent as a member of the Jamaat-i-Islami, was appointed as Bhutto's information minister and advisor on religious affairs (Nasr, 1994: 172).

Zia's Islamization

After taking over the government in July 1977, military ruler General Zia-ul-Haq initiated the process of Islamization of the legal system in a bid to garner political legitimacy for his regime. Punishment for *hadd* offences was prescribed in the criminal law through four ordinances, which were collectively known as the *Hudood* Ordinances. Moreover, the Federal Shariat Court, with the exclusive jurisdiction of determining whether a law was in conformity with Islam, was established (UNHCR, 2012: 10). Initially, Shariat Appellate Benches were integrated in Pakistan's four high courts in 1978. These benches were granted appellate jurisdiction in cases of *hudood* law convictions, and original jurisdiction to take up "Shariat petitions". Later in 1980, these benches were dissolved and the Federal Shariat Court (FSC) was set up. The verdicts of the FSC could be challenged in the Shariat Appellate Bench of the Supreme Court, which comprised three regular judges of the apex court and two ad hoc judges selected from the FSC or the clergy (Kennedy, 1990).

During Zia's rule in the 1980s, numerous criminal law ordinances were approved by parliament. These included five that directly targeted religious minorities and declared blasphemy a punishable offence: a law fixing punishment for desecration of Quran; a prohibition against insulting Prophet Muhammad (PBUH), his wives, family, or companion; and two laws curbing the activities of Ahmadis. General Ordinance XX of 1984 made amendments to the Pakistan Penal Code (PPC) by inserting sections 298B and 298C and to the Press and Publications Ordinance. The newly incorporated sections of the PPC were referred to as "anti-Ahmadi laws" as they forestalled Ahmadis from professing to be Muslims or adopting Muslim practices in their worship

or in propagation of their faith. Each of these offences was punishable with up to three years in jail and a fine. The incorporation of blasphemy laws in the penal code reportedly developed an environment fraught with religious intolerance and led to institutionalization of discrimination against religious minorities. The inherent discrimination in the provisions as well as the severity of punishments attached to violations, and the subsequent exploitation by religious fanatics have drawn pervasive criticism at the international level. The former UN Sub-Commission on Prevention of Discrimination and Protection of Minorities warned that the plight of religious minorities in Pakistan could lead to mass exodus. It deemed Ordinance XX as a:

“prima facie violation [...] of the right of religious minorities to profess and practice their own religion”, and “expresse[d] grave concern that persons charged with and arrested for violations of Ordinance XX have been reportedly subjected to various punishments and confiscation of personal property, [...] discrimination in employment and education and to the defacement of their religious property.” (UNHCR, 2012: 11)

Conclusion

The Pakistan Movement was triggered by westernized Muslim academics, aristocrats and secular elites; the founding father of the country, Muhammad Ali Jinnah, was one of them. However, in the 1940s, the leaders of the Muslim League utilized the Islamic rhetoric to muster the support of the masses. The recourse to religion in the political domain in the pre-partition period had far-reaching ramifications for the future of Pakistan. Ambiguity about the very ideology of the country created horrid problems for the policy makers owing to the ferocious polarization between proponents and opponents of ideological politics in Pakistan. Political realities then compelled policy makers to metamorphose Pakistan into an Islamic state on an array of reasons ranging from a need for national cohesion to garnering political legitimacy for unpopular leaders. Resultantly, Islam permeated the political and constitutional realms of the country.

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