



RESEARCH PAPER

Role of Religion in State Discourse: A Reappraisal of Islamization in Pakistan

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ABSTRACT

Role of religion in state discourse is an old age phenomenon for the politicians. Constitutional secularism solved some issues yet the significance of religion in human perception cannot be minimized. For Pakistan's constitutional development, the main question was not only about the acceptability of the role of Islam but also the kind of Islam to be established and extent of its influence into state system. The use of Islam as a political force with varying intensity has remained a frequent practice in Pakistan by civilian leadership as well as the military rulers. Their objectives behind that practice were, to acquire legitimacy, to strengthen their political positions and to consolidate their vested interests. The legacies about the establishment of political identity of Muslims in Sub-continent which was primarily, based on Islam played a critical role in post-partition period in Pakistan - especially in manifesting the politics and power claims of various political parties and groups. The underlying study aims to explain the relationship between religion and politics in Pakistan since its inception and, to seek the role of religion in the constitutional development with reference to the use of Islam as a political instrument. The research concludes that not a single serious effort was made to incorporate the spirit of Islam in the constitution rather everything was politically motivated which has its own repercussions.

Introduction

The study of religion and its effect on politics is significant area of academic debate and empirical investigation in the recent past suggested that despite modernization and secularization, religion has not lost its importance in the political field. Even in the secular societies, a large number of people identify themselves as followers of some faith or religion. In Indian Sub-continent, religion

has played a significant role in political discourse, even the independence from British colonial power was linked to the religious division which led to the Muslim demand for a separate state. Religion has always been an important factor in political discourse of Pakistan since its inception.

All India Muslim League (AIML), the founder political party of Pakistan, challenged that western idea of nationalism (van Benthem van den Bergh, 1966) which propagated by the Indian National Congress and projected and endorsed the case of Muslim rights, and interests in Sub-continent on their distinct religious identity. Religion was, a mean to promote group identity of Muslims and mobilization for the mass support during the struggle for independent. Slogans like Islamic state, Islamic government and Islamic ideology were frequently incorporated in the political discourse largely advocating Muslims political claims. The prominent Muslim political leader like Quaid-i-Azam and his companions were not highly religious in the traditional sense of the word yet during Pakistan Movement, AIML and its leadership appealed to the religious sentiments in order to obtain the Muslim political support (Islam, 1981). This led to develop strong political and social identification of Muslims with Islam in pre-Pakistan phase and afterward.

Pakistan Movement which initially started as a formula to resolve the constitutional and representative problems of Muslims of India, later, changed its orientation more religious. Even secular politicians began to rally on slogans, like Islam is in danger, for getting Muslim support for Pakistan (Haqqani, 2005). Pakistan came into existence with the hope to unite the Muslims of Sub-continent on the basis of religion besides their ethnic and linguistic differences yet the religious fanaticism during the partition, resulted in the mass scale migration of Muslims from India to Pakistan and atrocities and mass killing from Hindus to Muslims or vice versa.. Those painful experiences, sufferings and trauma of partition has become one of the key sources of national and societal narratives in Pakistan They enhanced the religious sentiments to that extent - which was difficult to imagine the liberal Muslim political leadership and consequently, Islam, became a major factor in the state discourse in Pakistan

Religion, in 1947, was the basis of national unity in Pakistan due to lack of homogeneous culture, geographical unity or common language. It was not a nation in the traditional western sense (Callard, 1957). Constitution formulation, to fulfill the demands of diverse groups while reflecting Islamic ideology of Pakistan, was the gigantic task of the political leadership of Pakistan. The leadership of AIML had been broad based consensus for Federal system with parliamentary form of government in pre partition yet diverse political and religious issues hindered the constitution making process after 1947.

There was an ideological tussle between political and religious groups regarding the foundations of constitution making since the inception of Pakistan. Quaid-i- Azam, who was a liberal leader extensively advocated the ‘Two Nation Theory’ during the last years of Pakistan Movement which helped the religious

elements in Pakistan, to float the idea to make it an orthodox religious state. Jamaat-e-Islami (JI) was one of them, its leader, Maulana Maududi expounded that Pakistan Movement was primarily, an expression of Muslims desire to establish an Islamic state (Maududi, 1955). Contrary to religious elements, there was a class of western educated, largely comprising of Muslim bourgeoisies, feudal lords and bureaucrats who viewed Islam as only relevant to the cultural identity of Pakistan and its people (Pattanaik, 1998, pp. 1276-1277). They endorsed the idea of modern secular state while perceiving that AIML tried to create a state for Muslims of Sub-continent where they could live freely from the Hindu dominance but not an exclusively Islamic state (Ziring, 1984).

The religious element claimed to be the champion of 'Islam' in comparison to the educated liberals at the political echelon in Pakistan yet they had considerable disagreements on the authority for the interpretation of Islamic law and 'the rules precisely constitute an Islamic government'. Religious-political parties like Jamiat-ul-Ulema-e-Islam (JUI), (JI) and Jamiat-Ulema-e-Pakistan (JUP) were the main religious parties that insisted on the establishment of Islamic polity in Pakistan. Mostly, religious parties (i.e. JUI, JI) lacked electoral credibility and acceptance in the political system due to their well-known opposition to the Pakistan Movement.(Kumar, 2001) In order to prove their political credentials and commitment to Pakistani state they largely built the identification of their political claims to the Shariat based Constitution. Maulana Maududi, in February 1948, demanded that Constituent Assembly should declare that sovereignty of the state is vested in God and all laws should be formed according to the Sharia. Before that in January 13, 1948, Maulana Shabbir Ahmed Usmani, initiated a resolution in Karachi while pronouncing that government should create the post of Sheikh-ul-Islam and appoint an Aalim on that.(Ghazali, 1996) Their stance was that Pakistan was primarily established in the name of Islam which provides them the responsibility and right to demand an Islamic constitution. These religious elites were believed that a constitution based on Islamic principles is indispensable to achieve the purpose of Pakistan.

Another significant disagreement which delayed the process of constitution making in Pakistan was linked to the variant opinion over the nature of Islamic polity. Although there was almost a general consensus that the new constitution would be based on Islamic principles but there were different views about the exact definition and nature of the Islamic constitution (Ziring, 2005, pp. 59-60). Some of the Islamic scholars insisted that, future constitution of Pakistan should strictly follow the pattern of early Caliphs because they were against the incorporation of new ideas while believing that Islamic law is complete and comprehensive. They believed that only the interpretation by the experts is required (Choudhury, 1955). The religious groups in Pakistan were also divided more or less, in four different schools of Islamic jurisprudence while calming legitimacy of their respective set of interpretation.

Religion and religious elements as tool during civil and military rule

The civilian government under Prime Minister Khawaja Nazim-ud-Din sought the help of religious groups to pacify the tension during the anti-Qadiani movement in 1953 in Lahore. This decision turned the religious elements into an effective political force and provided them the opportunity to strengthen their position and intervened in the mainstream politics. Later on, these religious elites played an obstructionist role in constitution framing (Ziring & Ziring, 1997) because they used the anti-Qadiani sentiments to strengthen their political position which proved harmful for the democratic process in Pakistan. Munir Report pointed out that Islamic rhetoric seemed to have remarkable power to motivate masses in Pakistan (Lombardi, 2010, p. 660)

The very first constitutional framework was promulgated in Pakistan in 1956 and it was an endeavor to balance the popular religious pressures and apprehensions of liberal elite, however it remained short lived (Lombardi, 2010, p. 663). Military intervened and imposed the first martial law in 1958, which hampered the process of political development. The political manipulation of President Sikander Mirza and provocation for his vested interests caused it. General Ayub Khan; the first military ruler of Pakistan, was not in favor of using Islam in state discourses but at the same time, he was also aware of the consequences of abandoning Islam as a state policy. So he rejected the Ulema's claims to be the sole representative and interpreter of Islam as the source in constitution making. General Ayub Khan explicated that although sovereignty belongs to Allah, the people of an Islamic state had the authority to organize and administer their affairs (Khan, 2002).

The first symbol of the modernist approach of Ayub regime was the removal of the word 'Islamic' from the title of Pakistani state. According to the Constitution of 1962, the name of the state was declared as the Republic of Pakistan instead of Islamic Republic of Pakistan. However, after much criticism and pressure from the religious groups and political parties like JI and, Nizam-i-Islam Part, the word 'Islamic' was added again, through the first Amendment Act on December 24, 1963. Ayub regime and his authoritative policies were less accommodative towards the political elites, too, which provided an opportunity to the religious political parties and groups to come forward as an important source of mobilization while securing public support up to certain extent. The growing anti-regime sentiments under President Ayub Khan helped religious elites to advance the demand of bringing all state laws into the conformity of Islam.

Ayub Khan's era was not a swing toward political secularism, however it was marked by a more liberal interpretation of Islam which turned some religious element against him. (Mehdi, 2013) JI particularly, was very critical to the Constitution of 1962 and its Central Council passed a resolution in August 1962 while denouncing the official advisory Council of Islamic Ideology and Muslim Family Laws (Talbot, 2010). Although, the political agitation of 1968-69, was mainly against the authoritarian regime of Ayub Khan yet during the demonstrations, people were also aroused against his anti-Islamic policies. The role of religion in

politics under Ayub regime remained eclipsed however; Pakistan went through somewhat an ideological change.

This change forced the new leadership, in later period, to offer a new political ideologies largely with incorporation of religion. Zulfikar Ali Bhutto while establishing Pakistan People's Party (PPP), sensing this change, offered an Ideological program under the name of 'Islamic socialism' and achieved massive success in the Punjab and Sindh (Sayeed, 1980).

Religion, which was considered as a source of unity since 1947, received a severe blow during the general election of 1970 which was held under General Yahya Khan, they revealed the contradiction in identity, regarding religion and ethnicity in Pakistan. Bengalis of East Pakistan frequently expressed concerns and apprehensions regarding their relative deprivation in comparison with non-Bengalis of West Pakistan (Murshid, 2001). Their complaints regarding provincial autonomy were merely overlooked by state elites while primarily focusing Islam, as the central theme of integration of Pakistan rather than enhancing the stakes of federal units for the survival of federation. Unfortunately, political and religious leaders failed to develop consensus among themselves about the role of Islam and its use as a binding force of Pakistani nation. Their inability not only eliminated the possibilities of national integration in Pakistan but also led those subsequent developments which caused the separation of East Pakistan from Pakistani federation.

The tragic reality of separation testified that Islam was largely used for a politically driven agenda both by rulers and religious elites without incorporating the much needed socio-economic and political justice. Consequently, the realities of political deprivation of Bengalis outweighed the emphasis of Islam.(S. M. H. Shah, 1996)In due course, Islam as a political and constitutional claim was reduced only to the religious parties like JI and JUI who were largely isolated from Muslim majority population of Pakistan. The success of Z.A. Bhutto in West Pakistan and Awami League in East Pakistan in the election of 1970, was also an indicator that voters of both sides of Pakistan were less concerned to be told by state or by some other groups that how they should practice Islam and more concerned about the real issues like democracy and social justice(Talbot, 2010)

It was expected that due to the bitter experience of separation and emergence of consensus on provincial autonomy in post-1971 Pakistan, constitution framing would not be much difficult. Expectation failed as the previous disagreements over the nature of state, provincial autonomy and ethnic identity surfaced again, including the controversy over the role of religion. The minor success of religious parties, in gaining popular vote, in the elections of 1971 raised the hopes that religion would be less effective in the political scenario. However, defeat and national humiliation in the war of 1971 had given new strength to the traditional Islamic elements and they, gradually reasserted their demands of Islamization of the future constitution of Pakistan.(Hassan, 1985)

These religious elements primarily believed that without sticking to the ideology of Islam the integrity of the nation cannot be held together. They stressed that negligence of previous regimes in fulfilling this commitment allowed the linguistic and racial differences to prevail which eventually resulted in the separation of East Pakistan. Therefore, the reinforced emphasis on the Islamic roots was necessary requirement for the survival of nation(syed I. Shah, 2001).The religious groups attributed the failure of maintaining of the unity of East and West Pakistan with the inability of secularized Islam to deal with the sectarian and ethnic division of country.

Consequently, despite having reasonable popular mandate, Bhutto and his party, used 'religion' as a political instrument -primarily in response to the emergent challenges of ethnic and regional demands of provincial autonomy- in the name of inculcating sense of integration. Following the previous precedent of using Islam as a mean to secure legitimacy, Bhutto also enhanced his popular support by formally commencing the process of Islamization of Constitution largely to deal with his potential opponents. Even the secular political forces like ANP did not resist to the religious elements' demands for the constitutional Islamization and it seems that religion was considered an effective tool to gain popular sympathies during the sketching of the Constitution of 1973.

The political problems of Bhutto,-who had a western and liberal mindset and not much enthusiastic about incorporating Islamic provisions - forced him to not to ignore the strength of religious elements in the legislature. His lack of two third majority in the parliament which was required for passing the Constitution and language riots in Sind, his power base, especially in Karachi in July 1972 weakened his grip on power and provide better bargaining position to JI . They had largely the support of Urdu speaker community (Muhajirs) regarding the constitutional issues. So when Bhutto invited the leaders of parliamentary parties in the National Assembly for a meeting to obtain a broader consensus, he met with Maulana Mauddudi privately and agreed to insert some of the Islamic clauses in the constitution. The provisions like the 'name of the state as Islamic Republic of Pakistan, Islam as the state religion, confining the high executive posts of Pakistan like Prime Minister and President to the Muslims only and most importantly conditioning of all laws in conformity with Islam under the instructions and teachings of Quran and Sunnah was the consequence of these talks. As a result, the Constitution of 1973, was more Islamic than the two previous constitutional frame works of 1956 and 1962 (Mahmood, 2003)

The demands for Islamisation intensified after passing the constitution because it provided enough political space to the religious political parties and elites that power for which they were striving for years. Now, they could pressurize the governments to legitimize their demands and formulate state's key policies in accordance with Islam. Its first indication was the insertion of the definition of Muslim into the Constitution of 1973. This action was considered as the augmentation of political influences of religious elements in the state discourse. That insertion in the constitution was the direct outcome furious anti-Qadiani

demonstrations in Lahore and Faisalabad in June 1974 and the establishment of action committee of eighteen religious political parties. Bhutto decided to place the entire matter before the National Assembly on June 30, 1974, analyzing the seriousness of the situation. A resolutions regarding the issue were tabled before the house. National Assembly after extensive debate passed second Amendment which resulted in the declaration of Qadianis, including Lahori Jamaat and Ahmadi group were constitutionally as non-Muslims. This further declared that a person who does not believe in the absolute and unqualified finality of the Prophet-hood of Hazrat Muhammad (PBUH), shall be considered non-Muslim.

These amendments in the Constitution of 1973, were far-reaching in its consequences on society and politics of Pakistan because it made religious groups and parties, a stake holder into the conflict linked to religion. This approach also paved the ground for the bifurcation of the society on religious basis. The religious elements got the opportunity to raise further demands in political matters as they were now successfully emerged as pressure group with “unparalleled influence in the mainstream politics” (Nasr 1994:181-2 79).

Pakistani state also embraced the power and responsibility to define the religious and social identities of its citizens while implementing an exclusionary parameter of Islam. It resulted in the shift of state policies from ensuring equality of rights of its citizens without any discrimination to the rights based on religious preferences primarily under ‘majoritarian Islamic parameters’ to dispel the emergent religious sentiments against the government (Iftikhar, 2000). The trauma of the politics was that the most powerful prime minister of Pakistan history, Bhutto was apparently forced to make these decisions out of the fear that opposing politicians and religious elements would use the issues against him (Sayeed, 1980).

The situation further deteriorated in coming decades because now government, opposition and religious parties, all began to use religious references to mobilize people. For examples, in the General Elections of 1977, Opposition forces joined hands with religious elements as a single body named Pakistan National Alliance (PNA) although some of the parties had different and opposing ideologies. PNA promised establishment of true Islamic order and imposing Shariah in its charter within the framework of religion called Nizam-e-Mustafa (the system of Prophet PBUH). The religious parties like JI, JUI and JUP accused Bhutto for undermining and desecrating religion and religious practices. (Ziring, 2005:158) While, the Bhutto’s blend of Socialism and Islam was viewed with skepticism, so to counter the PNA, PPP in its election manifesto used the word Musawat-i-Muhammadi, frequently and promised to impose more Islamic values in the Pakistani society. All these slogans turned election campaign more religious than political (Mortimer, 1982).

The massive victory of Bhutto government in elections leashed an agitation by the Oppositions which gradually turned into a movement for the establishment of Nizam-e-Mustafa. The opposition parties felt that they could get more public

support by arousing religious sentiments. Bhutto took some Islamic measures like imposing ban on drinking, gambling, bars and night clubs and shifting weekly holiday from Sunday to Friday to dispel the emergent religious sentiments against his government yet these efforts were considered face saving and were too late (Ziring & Ziring, 1997). Bhutto also announced to reconstitute the Islamic Advisory council while offering a position to Mufti Mahmood in it and made commitment that all laws would be brought into the complete conformity with Quran and Sunnah within a period of 6 months. Bhutto's political instrumental usage of Islam helped to strengthen the credibility of religious groups in politics. But his effort could not stop the military takeover on July 5, 1977, as a result of large scale public protests in the country. So, General Zia-ul-Haq who assumed power, primarily to hold fresh elections and transfer of powers to the public representatives, commented briefly in his first address on July 1977, about the Islamic orientation of the PNA's movement and expressed that introduction of Islamic system was essential for the survival of the country. The fear of Gen. Zia-ul-Haq that Bhutto could bounce back through election while he lacked popular public acceptance, turned him to the religious elements to legitimate his rule publically, after getting legal approval from the Supreme Court of Pakistan for his imposition of Martial Law. He converted PNA's appeal for Nizam-e-Mustafa into a political plan to establish the Islamic system largely facilitating his scheme of extending military rule while pleading the legitimacy of regime on name of religion.

The issuance of four ordinance under Presidential Order on February 10, 1979, was the first step towards Islamic system. Through these ordinances, Islamic punishment for certain offences (drinking gambling, robbery and adultery), were enforced and added to Pakistan Penal Code.(Kennedy, 1996; Mortimer, 1982) Later, compulsory levy of Zakat and interest free banking system was also, implemented(Hasan, 1998) and a Federal Shariat Court was constituted with the power to declare any law as repugnant to the teaching of Holy Quran and Sunnah. Gen. Zia-ul-Haq again used Islam to save his government, in early 1980s, facing the challenge of MRD when he declared that it was the duty of each Pakistani to obey the laws otherwise it would be considered as waging war against an Islamic rule.(Yusuf, 1998)

The decision of non-party based election in 1985, was pronounced on the basis that there is no room for party system in Islam. Prior to these elections, a referendum was conducted in 1984 to become the president with a positive answer of a controversial question. The masses were required to answer the question, whether they endorsed the process of Islamization of laws initiated by Gen. Zia-ul-Haq and are they in favor of continuation of that procedure. The connection between question asked and the extension of government was an example of legitimization of dictatorial rule through religion.(Maluka, 1996). Religious cover, again used by Zia-ul-Haq in 1988, when he dismissed the Prime Minister and dissolved National Assembly under the pretext that government failed to carry the Islamization forward. So, to justify his action, he promulgated a Shariat Ordinance on June 1988.(Choudhury, 1989)The Shariat Act, which passed in 1991 by Nawaz

Government, has certain Islamic provisions which undermine the Constitutional supremacy because it made Shariat, the supreme law of Pakistan. It restrained judiciary and confined the judges to the interpretation of law within the limits of "exposition and opinion" of the recognized jurists of Islam, means technically super seeding the Constitution.

The next collaboration of religious element ad state polity can be seen during the Musharraf regime when ruling elite formed an informal alliance with religious political parties in spite their political and electoral strength was not striking. However, under government patronage in general election of 2002, MMA (an alliance of six religious political parties) succeeded to secure exceptional electoral victory in KPK and Baluchistan. Despite the ideological differences, Musharraf regime and MMA, both supported each other in a tortuous way to legitimize their power and political claims. Musharraf's informal state patronage to religious political parties was aimed to lessen the political influence of mainstream political parties (PPP and PML-N) which were largely viewed as adversaries for ruling elite. The MMA's accomplishment to form governments in two provinces somewhat made Islam, a central theme of policy making at least in KPK and Baluchistan. The assertions of Islamization by MMA were evident by its attempt to enforce Hasba Bill which was primarily intended to monitor the societal practices in accordance with Islamic value and its observance.

Religious elements primarily believed that an Islamic ideology and Pakistan are indispensable and due to state patronage of selected religious groups, they turned from mere pressure groups to well organized, well trained and well financed power full militia. These religious groups even started to destabilize the nation building process, as for them Pakistan's existence justified only as long as, it supported their respective version and ideologies of an Islamic state. The Taliban, proto-Taliban movement and Tehreek Nifaz Shariat Muhammadi movement in Swat in the early 1990s and again in 2007 are the result of this respective believes.

Conclusion

This study concludes that political instrumentalization of religion under civilian as well military regimes in Pakistan was done mercilessly and a state which was demanded on the name of religion failed to make Islam that identity which primarily discredited all other identities i.e. regional, ethnic and cultural. Consequently, this politicization of religion has made constitutional and political consensus almost an unattainable task. Furthermore, when, authoritarian regimes and civil governments patronage various religious groups and political parties, to secure legitimacy, it brought several repercussions for the state and society in Pakistan. First, it makes difficult for Pakistani state to assert its equality of rights without discrimination of religious orientations. Second, it intensified the risk of conflict and antagonism between the various stake holders of Pakistani state because the inclusion of religious orientations into state discourses led to view all other identities irrelevant and most often disloyal to the state. Third, the failure of

western democracy in Pakistan somehow linked to above mention both factors because ruling elite successfully camouflaged under religious shades to cover their failures. Fourth, Government patronage to certain religious groups, caused the emergence of militant networks based on religious affiliations succeeding to have sympathies in society yet, gradually they surpassed state authority into certain areas while making them ungoverned spaces.

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