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***Pure-istan: Identity, Secularism & Pakistan's Contested Struggle:
The Ahmadiyya Muslim Community***

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Abstract

In Pakistan, the issue of religious freedom is deeply embedded in the trajectory of the political construction of religious identity, a process that has caused severe violations of human rights for many groups, particularly the Ahmadiyya Muslim Community. This community has been historically excluded and discriminated by law and society on the basis of religious distinction. The question of exclusion and persecution may be unpacked through a critical analysis of the role of secularization, and particular variants of secularism exclusive to non-Western states. The objective of this paper will be to address the difficulty of applying a simplistic rendition of a Western template of secularization in Pakistan and the difficulty of repair. I will argue that the vision of Muhammad Ali Jinnah, the primary founding father of Pakistan, had been the most prime example of how both secularism and religious moral ethos may be negotiated to yield a form of secularism that is exclusive to non-Western states with regards to religious identity. It is this framework that ought to be kept in mind when approaching the Ahmadi issue today and formulating solutions.

Introduction

The past several decades have rapidly witnessed a defining and transformative re-shaping of the world as it was once acknowledged. As a result of decolonization and globalization, states and “nations” emerged that were defined not merely through territorial characteristics but rather through a number of elements—most predominately that of identity—perhaps best encapsulated by Benedict Anderson’s notion of “imagined communities.”¹ Out of this struggle for defining identity and of addressing identity no longer as a matter of the individual in a private sphere or community, but rather as a larger collective self-understanding and within the hands of the state—the issues that emerged were momentous, particularly when addressing the role of religion in the state as a core element of national identity. The nature of nationalism, especially when seen through politically religious or ethnic majoritarianism, plays an immense role in the state and society’s shaping of institutional exclusion and inclusion in the process of nation-building. When a nation is in its infancy and is grappling with multiple visions of national identity and meaning, it becomes open to the monopolization of certain groups vocalizing for a particular identity. As I will demonstrate in the case of Pakistan, the struggle for defining national identity and the defining the institutional boundaries of the state is a struggle that has greatly affected many people and minority religious groups. In Pakistan, the issue of religious freedom is deeply embedded in the trajectory of the political construction of religious identity, a process that has caused severe violations of human rights for many groups, particularly the Ahmadiyya Muslim Community. This community has been historically excluded and discriminated by law and society on the

¹ Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Verso Publications. New York. 1983

basis of religious distinction. The question of exclusion and persecution may be unpacked through a critical analysis of the role of secularization, and particular variants of secularism exclusive to non-Western states.

When analyzing the political, social and theoretical elements of the issue of religious minorities in Pakistan, the discussion of secularism's role and possibility in the state is often addressed in the search for solutions and repair. However, the binary approach through which secularism has been understood in the case of Pakistan is problematic because it is only understood through a Western understanding of secularism of the separation of church and state. Many, including political scientists Rajeev Bhargava and Christophe Jaffrelot, have proposed a variant of secularism that is exclusive to the non-West that uses *religion as ideology*, or in other words, which uses religious moral content in order to promote state administered tolerance and rights. The objective of this paper will be to address the difficulty of applying a simplistic rendition of a Western template of secularization in Pakistan and the difficulty of repair. It is the inadequacy of the idea of applying a Western understanding of secularism and the difficulty in removing political Islam from the state, politics, and social realms that make repair and solutions unattainable and therefore requiring nuance. Noting this, it is important to trace the issue back to Pakistan's birth and highlight three main visions by spokesmen Jinnah, Iqbal and Maududi with regards to the role of religion in the state. I will argue that Jinnah's Pakistan had been the most prime example of how both secularism and religion may be negotiated to yield a form of secularism that is exclusive to non-Western states with regards to religious identity. It is this framework that ought to be kept in mind when approaching the Ahmadi issue today and formulating solutions.

This paper will first examine and describe the scope of the discrimination and the human rights abuses with particular regard to religious freedom. Second, in order to understand the way religion has played a role since Pakistan's birth, it will analyze three factors that have generated the Ahmadi question, namely, religion, national identity and law, especially through a historical perspective. Here, I will be looking at the idea of "vision and division," and analyze the visions of three of Pakistan's main spokesmen—Jinnah, Iqbal and Maududi. I will examine how over time, through significant political and historical events, Jinnah's Pakistan, which embodied the values of both the Muslim identity and secularism, had been diluted and Ahmadis found themselves at the receiving end of this dilution. This will include the formulation of the Blasphemy Laws and the unconstitutionality and Un-Islamic nature of these laws. Thirdly, it will then shed light on other templates in the Islamic world, including Indonesia and Senegal that have in many ways embodied a non-Western variant of secularism with a balance of religious ethos and state protection of rights. Using these templates, along with Jinnah's vision for Pakistan as the framework, Pakistan's Blasphemy laws may be unpacked and reimagined as a starting point for gradual change.

Section I: Human Rights & Religious Freedom in Pakistan

A discussion of the condition of human rights in Pakistan with specific regard to religious freedom is incomplete without a critical examination of Pakistan's state implementation of human rights in the law and constitution and an overview of human rights violations. This introductory section is divided into three parts. I will first briefly outline the rights enshrined in the Pakistani constitution and law with particular attention

to religious freedom. The second section will describe the key features of the Ahmadiyya Muslim sect of Islam and the distinctions between mainstream Islam that have fueled the persecution of the community. The third section will then provide a general overview of the scope and shape of the persecution against the Ahmadis in Pakistan, with particular attention to the controversial Blasphemy laws.

Rights in Pakistan's Constitution(s)

Pakistan is currently a democratic state that has been sculpted by frequent transitions of both military dictatorships and democratic law at various moments in its brief history. Since its birth, Pakistan has adopted three constitutions, each with many amendments and reforms throughout the years. It is interesting to note the trajectory of these constitutions as their changes have correlated with the degree of Islamization of the country over time. While the rights attributed in each of the constitutions have remained steady and comprehensive in their scope, other reforms and amendments have been incorporated and strengthened that counter the potency of the rights declared in the constitution. The Blasphemy Law and other related laws established in the Pakistan Penal Codes are some of the main sources of deterrence to the actualization of the fundamental rights enshrined in the current constitution, which will be discussed further in this paper.

The rights in the earliest constitution of 1956 have been briefly discussed as understood by the Objectives Resolution of 1949 under Prime Minister Liaqat Ali Khan which became a part of the Constitution of Pakistan shortly after. The Objectives Resolution, a preamble to the first constitution of Pakistan, formally described the role of religion and democracy in the new state and proposed that Pakistan will be an Islamic democratic state and emphasized both Western and Islamic ideals of democracy. The

Resolution highlighted many fundamental rights including political, economic and social rights and specifically affirmed the rights of religious minorities to worship freely, as I will describe below. It emphasized the values of democracy, tolerance and equality inherent in the Islamic doctrine.²

The Objectives Resolution is a crucial document in Pakistan's history. Many cite it as laying the foundations for the Islamization that occurred in the decades following Pakistan's birth since it declared Islam as the state religion but not yet a theocracy. The time, context and nature of this document are reflective of a greater theoretical analysis of the Islamic identity in Pakistan and how it began to take shape during Pakistan's infancy. This paper will conduct a closer reading and analysis of this document in its discussion of Pakistan's particular variant of secularism and understanding of the role of religion in section II.

The second constitution of 1962 under military leader Ayub Khan granted many similar rights to those in the Objectives Resolution but the nature and formulation of political Islam began to take form in this constitution as demonstrated by the addition and strengthening of certain laws.³ The 1973 constitution, which was adopted under the leadership of Prime Minister Zulfikar Ali Bhutto, is the constitution that is still functioning today. It is a comprehensive document that describes the branches of government, the fundamental rights of the Pakistani people, and the laws and orders of the state. Part II, Articles 8-28 list all the fundamental rights in depth, including security, the right to be free from arbitrary arrest, the right to a fair trial, the right not to be subject to forced labor, the right to be free from torture, freedom of movement and assembly,

² History of Pakistan, "Objectives Resolution, 1949," <http://historypak.com/objectives-resolution-1949/>

³ History of Pakistan, "Constitution of 1962," <http://historypak.com/constitution-of-1962/>

freedom of business, the right to freedom of speech, the right to information, freedom of religion, safeguards against taxation towards any specific religion, safeguards in educational institutions with regards to religion, right to education, non-discrimination in public places and property rights. Furthermore, section II, chapter 2, article 36 states that “the State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.”⁴

While all these rights are enshrined in the Pakistani constitution, ordinances in other parts of the constitution and in the Pakistan Penal Codes, such as the Blasphemy Law, counter the realization and implementation of those rights. As the dilution of the Islamic ethos of toleration, fundamental rights and equality occurred over the course of Pakistan’s history, the ultraconservative and orthodox branch of Sunni Islam, or Wahabbism, and Wahabbi-informed political Islam sculpted and created space to strengthen the ethos of inclusion and discrimination in the law and in the social climate of Pakistan. This paper will demonstrate the ways and trajectory through which this has occurred and how ideological schools of political thought with regards to Islam paved the way for very real manifestations of rights violations as a result of identity-construction and identity-exclusion.

The Ahmadiyya Muslim Community and the Claim to Islam

To begin to understand the root of the conflict, it is important to understand the community and the distinctions of belief between mainstream Islam and the Ahmadi Community that have caused the systematic persecution of this community specifically.

⁴ Constitution of Pakistan, “Fundamental Rights and Principles of Policy,” <http://www.pakistani.org/pakistan/constitution/part2.ch2.html>

In this section, I will briefly explain the core features of the Ahmadi belief and the key differences from the larger mainstream Sunni Muslim doctrine.

The Ahmadiyya Muslim Community was founded in British India in a town called Qadian in Punjab at the end of the 19th century. The founder of the Ahmadiyya Community was Mirza Ghulam Ahmad who claimed to be the promised Messiah or *Mahdi*. Ahmadiyya was founded as a revival or reformist sect of Sunni Islam. Core principles of Ahmadiyya follow all of the basic principles of Islam: the six articles of faith which are the belief in One Supreme God, belief in all the angels of God, belief in all of the books of God including the Torah, the Bible and especially the Quran, belief in all of the prophets of God including Abraham, Moses, Jesus and Muhammad, belief in the Day of Judgment and the afterlife, and belief in the Decree of Allah (God). Ahmadi pray five times a day, fast during the holy month of Ramadan and believe in all of the core teachings and guidance of the Holy Quran, the *hadith* (sayings) and *sunnah* (actions) of the Prophet Muhammad.

There are mainly two distinctions in belief between “mainstream” Sunni Islam and the Ahmadi. First is the belief that Jesus did not die on the cross but rather he died a natural death in Kashmir in order to fulfill his mission to preach to the lost tribes of Israel. The second belief is the coming of the Messiah from a follower of the Prophet Muhammad and that is believed to be, through prophecies and revelations, Mirza Ghulam Ahmad who lived and propagated his message in Qadian, Punjab, India from 1835-1908.⁵

The main objection that is raised involves the belief of the Prophet Muhammad as *Khataman-Nabiyeen*, which means “Seal of the Prophets.” In the mainstream Islamic belief, the “seal of the prophets” is interpreted as the “last of the prophets,” or the “final

⁵ Mahmud Ahmad, Mirza Bashir-ud-Din. *Invitation to Ahmadiyyat*. The London Mosque, 1980.

prophet,” meaning no other prophet can come after the Prophet Muhammad. However, the word “seal,” according to Ahmadi belief, implies the sealing of a document, for example. In other words, Ahmadi belief contends that the message, guidance and spiritual law that the Prophet Muhammad delivered was the final message, however, “seal” does not imply finality of prophethood. Ahmadis believe that the message that Mirza Ghulam Ahmad proclaimed was the revival of the same message that the Prophet Muhammad had delivered in Arabia hundreds of years before him.⁶ It is out of this distinction and matter of interpretation that Ahmadis all over the world are considered outside the folds of mainstream Islamic doctrine.

Among an estimated 3-4 million Ahmadis living in Pakistan today, comprising of about 3.4%-4% of the population.⁷ A large majority of them, approximately 100,000 members, live in the headquarter town of Rabwah in the Chiniot District of the Punjab Province.⁸ Soon after the Partition of India in 1947, many Ahmadis settled there in order to establish a safe haven for the community. The town was named *Rabwah*, an Arabic word from the Quran meaning “an elevated place.”⁹ As the Islamization/Wahabbization project continued to progress and succeed in Pakistan’s recent history, one of the prime examples of the solidification of their exclusion and material manifestation of the Blasphemy Laws was the ruling to change the Islamically-derived name of their safe haven. In 1999, the Punjab Assembly passed a resolution to change the name of the town

⁶ “A Misunderstanding Removed- Ahmadis Do Believe in the Holy Prophet (saw) as Khataman Nabiyeen.” *Synopsis of Religious Preaching- Part II*, n.d.
http://www.alislam.org/library/links/khatam_ahmadi.html.

⁷ World Directory of Minorities: Ahmadis of Pakistan <http://www.faqs.org/minorities/South-Asia/Ahmadis-of-Pakistan.html>

⁸ UNHCR Refworld: “Pakistan: Information on Ahmadis in Rabwah”
<http://www.refworld.org/docid/3ae6acb76c.html>

⁹ “A Brief History of Ahmadiyya Movement In Islam.”
<http://www.alislam.org/library/history/ahmadiyya/65.html>.

from “Rabwah” to “Chenab Nagar” on the plea that the word Rabwah is an Arabic word from the Quran and therefore blasphemous and illegal in nature according to the constitution.¹⁰ The resolution to change the town’s name is a violent act and is emblematic of a larger state-implemented project to fragment and reshape the Ahmadi identity to further solidify their exclusion socially, politically and constitutionally. As I will highlight briefly in the following section, the persecution of the Ahmadis has taken many forms.

Overview of Ahmadi Persecution

Since the birth of Pakistan in 1947, Ahmadis have been subject to severe and methodological persecution at the hands of religious extremists and the state and the conditions have worsened. The following section provides a brief overview of the scope of persecution and up-to-date human rights abuses towards the Ahmadi community in Pakistan. It will begin by highlighting the relevant laws and amendments that relate directly to the exclusion, particularly the Blasphemy laws. It will then discuss the nature of persecution in the realms of education, security business and anti-Ahmadi rallies and conferences.

Around 300 Ahmadis have been killed for their faith to date and countless have been kidnapped, been victims of attempted target-killings, accused of blasphemy, jailed and persecuted. Ahmadis in Pakistan have encountered decades of verbal, physical harassment, torture, and discrimination.¹¹ Children as young as 5 to elderly members of the community have been jailed for cases of suspicion of blasphemy. Ahmadi students

¹⁰ “Change of Name of Rabwah: Persecution of Ahmadiyya Muslim Community.”
<https://www.persecutionofahmadis.org/change-of-name-of-rabwah/>.

¹¹ The Persecution of Ahmadis: List of Ahmadis Murdered for Their Faith”
<https://www.persecutionofahmadis.org/list-of-ahmadis-murdered-for-their-faith/>

have been expelled and suspended from schools on the basis of their faith.¹² Ahmadi businesses have been boycotted and are required to have a sign on their doors indicating Ahmadi ownership. Lists of names of Ahmadis are printed and distributed in almost every town calling for them to be tortured, killed, and raped since, as the clergies claim, these acts are permissible in Islam. Children are taught from an early age both at home and in schools that Ahmadis are worthy of such discrimination and hatred. In order to obtain citizenship and passports, Ahmadis must denounce their Muslim identity and their belief in Mirza Ghulam Ahmad as the *Mahdi*, or the Promised Messiah. Ahmadi graves are continuously desecrated.¹³ The word “Muslim” has been whited out of nearly every Ahmadi grave including the grave of Dr. Abdus Salam, an Ahmadi physicist and Pakistan’s first Nobel laureate.¹⁴

In recent years, the most significant event that took place was the May 2010 Lahore attacks. On May 28th, 2010, two Ahmadi mosques in Lahore were sieged and attacked during Friday prayers by armed gunmen who were members of the Taliban. More than 80 people were killed and over a hundred were severely wounded. The Pakistani police force and army did very little to prevent or prosecute. The graves of those killed in this attack were desecrated in the following months.¹⁵ Last year, a brutal mob attack in a village in Gujranwala killed three female members, including two minors, injured a pregnant woman, which resulted in miscarriage, and burned down eight

¹² Ebrahim, Zofeen T. “Ahmadis: The lightning rod that attracts the most hatred” *dawn.com*. October 28, 2011. <http://www.dawn.com/news/669566/ahmadis-the-lightning-rod-that-attracts-the-most-hatred>

¹³ Shackle, Samira. “The Mob Mentality that Prevents Things Improving for Minorities.” *New Statesman*. December 4, 2012. <http://www.newstatesman.com/world-affairs/2012/12/mob-mentality-prevents-things-improving-pakistans-minorities>

¹⁴ “Amidst Religious intolerance, Pakistan’s Nobel Laureate Fades Away.” *Dawn News Pakistan*. July, 30, 2012. <http://www.dawn.com/news/738366/amidst-religious-intolerance-pakistans-nobel-laureate-fades-away>

¹⁵ Perlez, Jane. “Pakistani Taliban Carried Out Attack on Lahore Mosques, Police Say,” *New York Times*. May 29, 2010.

homes. The incident has yet to receive any attention from authorities or political figures.¹⁶

Relevant Amendments and the Blasphemy Law

This section briefly describes some of the main laws and policies in the Pakistani law and constitution that are significant sources of the types of exclusion and persecution described in the sections after.

In 1974, the second constitutional amendment was passed that officially declared Ahmadis non-Muslim by law. It specifically states that

“(3) A person who does not believe in the absolute and unqualified finality of The Prophethood of MUHAMMAD (Peace be upon him), the last of the Prophets or claims to be a Prophet, in any sense of the word or of any description whatsoever, after MUHAMMAD (Peace be upon him), or recognizes such a claimant as a Prophet or religious reformer, is not a Muslim for the purposes of the Constitution or law.”¹⁷

Furthermore, in 1984, Ordinance XX, or the “Blasphemy Laws,” were passed as an amendment to the Pakistan Penal Code under the leadership of General Zia-ul-Haq, the then military dictator of Pakistan. It states specifically,

“298B. Misuse of epithets, descriptions and titles, etc., reserved for certain holy personages or places.

- (1) Any person of the Qadiani group or the Lahori group (who call themselves ‘Ahmadis’ or by any other name) who by words, either spoken or written, or by visible representation;
 - (a) refers to, or addresses, any person, other than a Caliph or companion of the Holy Prophet Muhammad (peace be upon him), as ‘Ameerul Mumineen’, ‘Khalifa-tui-Mumineen’, ‘Khalifa tul-Muslimeen’, ‘Sahaabi’ or ‘Razi Allah Anho’
 - (b) refers to, or addresses, any person, other than a wife of the Holy Prophet Muhammad (peace be upon him) as ‘Ummul-Mumineen’
 - (c) refers to, or addresses, any person, other than a member of the family (Ahle-bait) of the Holy Prophet Muhammad (peace be upon him), as ‘Ahle-bait’; or
 - (d) refers to, or names, or calls, his place of worship as ‘Masjid’;shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.

¹⁶ Ahmad, Usman. “Pakistan’s Original Sin.” *Foreign Policy*. October, 10, 2014. http://southasia.foreignpolicy.com/posts/2014/10/13/pakistans_original_sin

¹⁷ LUMS. “1974 Constitutional Amendment” <http://lums.edu.pk/remappingjustice/page.php/the-second-amendment>

- (2) Any person of the Quadiani group or Lahori group (who call themselves Ahmadis or by any other name) who by words, either spoken or written, or by visible representation, refers to the mode or form of call to prayers followed by his faith as ‘Azan’ (*call to prayer*) or recites Azan as used by the Muslims, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.
- (3) 298C. Person of Quadiani group etc., calling himself a Muslim or preaching or propagating his faith. Any person of the Quadiani group or the Lahori group (who call themselves ‘Ahmadis’ or by any other name), who, directly or indirectly, poses himself as Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representations, or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.”¹⁸

In addition to the Blasphemy law, Ordinance XV of the Pakistan Penal Code, articles 295, 295A and 298-A specifically discuss the offences relating to religion. Namely, this includes “injuring or defiling place of worship, with intent to insult the religion of any class,” “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs,” and “Use of derogatory remarks, etc., in respect of holy personages.”¹⁹ Specifically, these laws prohibit Ahmadis to call themselves Muslims, call their mosques “masjids,” openly profess their faith, pray in public, write Quranic verses or Arabic on their buildings, and among many other prohibitions. The penalties for these crimes include fines, indefinite jail time, or even death. Upon activation of these laws under Zia, these laws penetrated beyond the legal system into the social arena, where individuals would take matters into their own hands, implementing mob rule, target killings, and proliferating wide-spread hate propaganda towards minority groups within nearly every realm of society.

¹⁸ The Persecution of Ahmadis. “Act of 1986, Criminal Law Amendment Act” <http://www.persecutionofahmadis.org/wp-content/uploads/2011/05/c-Blaphemy-clause-PPC-295-C.pdf>

¹⁹ The Persecution of Ahmadis. “Pakistan Penal Code: Of Offences Related to Religion” <http://www.persecutionofahmadis.org/wp-content/uploads/2011/05/e-PPC-295-295-A-298-A.pdf>

Around 400 Ahmadis have been accused of blasphemy since these laws have been ordained.²⁰ The abusive nature of the Blasphemy laws and other relevant laws in the PPC, allow for anyone to become an open target and Ahmadis as well as non-Ahmadis including Christians, Hindus and Muslims have been accused under faulty accusations, most predominately out of petty hostilities, political retribution or sheer discrimination. These laws override and obscure the potency of many of the fundamental rights listed in the Pakistani constitution, especially in regards to articles 20-22 concerning the freedom to profess any religion. The next few sections will provide a brief overview of the ways in which rights have been violated as a result of the permeability of the Blasphemy laws, the laws declaring Ahmadis outside the folds of mainstream Islam and the overall Islamicization project of the state. These factors have gravely affected the recognition and protection of countless rights of religious minorities, particularly the Ahmadis, and solidified their exclusion and isolation from public life.

Education

At a nationwide level, education has been a stifling and oppressive sphere for Ahmadi teachers and students of all ages. This section gives an overview of the scope of exclusion and discrimination in the educational system.

Religious Islamic study or *Islamiyat* is mandatory in all state-run schools. This curriculum is devoid of any comparative study of sects within Islam and non-Muslim groups with a heavy focus on the mainstream Sunni narrative.²¹

²⁰ The Persecution of Ahmadis. "Cases under Blasphemy"
<https://www.persecutionofahmadis.org/persecution-activities/accusations-under-blashemy-laws/>

²¹ US Department of State: "Office of International Religious Freedom Annual Report 2014"
<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

The community members, both men and women, have historically always been high-achievers educationally and professionally following the emphasis of Mirza Ghulam Ahmad's teachings of *jihad bil qalam*, striving and succeeding through the pen in place of jihad of the sword. Despite the starkly repressive educational system, Ahmadis have struggled to outperform in all fields, only to be met by limited opportunities for employment and promotions in their post-educational careers.

At a national level, especially in mixed neighborhoods and large cities, the educational system has worsened over the past few decades as Ahmadis students, once their identities are exposed, face bitter persecution in the classroom. Along with persistent harassment, Ahmadi students, both men and women, face complete isolation in the classroom, where they are completely ignored without even the option of class participation, suffer through frequent lectures targeting the community, risk expulsion and further harassment and receive death threats either directly or through text messages and social media platforms. They are the target of anti-Ahmadi student organizations that hold rallies, hand out leaflets and post boards and posters around campuses either targeting the community as a whole or individuals in the institution. These posters, leaflets and book stickers state things like "*Qadianis* (derogatory term for Ahmadis) *are infidels, it is haraam to talk or deal with them,*" "*A complete boycott of Qadianis is the first sign of love for the Holy Prophet,*" and "*If your teacher is a Qadiani, refuse learning from him.*"²²

Business

²² Persecution of Ahmadis: Problems in Education (2011-2012)
<https://www.persecutionofahmadis.org/problems-in-education-2011-2012/>.

Many Ahmadi entrepreneurs and businessmen, both small and large-scale, have been targets of persecution and boycotting throughout Pakistan. This section briefly maps out areas in business where this has occurred.

Over the last few years, Rabwah's famous *Gol Bazaar* market has been subject to encroachments by illegal non-Ahmadi cart vendors from outside that residents say, have caused a number of issues including security, blockage of roads, competition and pollution. Outside of Rabwah in the large cities and mixed neighborhoods, there have been large-scale boycott movements towards Ahmadi businesses. For example, Shezan, a large mango juice business owned by Ahmadis has been boycotted. Most stores have posted signs on their doors indicating that they do not sell Ahmadi products or do business with Ahmadis for it is *haraam*, or forbidden.^{23 24}

Security

Ahmadis living in mixed neighborhoods are far too frequently the target of violence and have been intimidated through harassment, killings, kidnappings, rape and expulsions for years. This section briefly summarizes the lack of security provided by the state and local authorities for the community, as they continuously remain targets.

Students, Ahmadi mosques and businesses are all targets however, individuals in a marketplace or public space, for example, may also be targets based on their physical distinctions. It is interesting to note that while to the foreign eye, one may find that it is difficult to distinguish between the outward appearance of non-Ahmadis and Ahmadis on

²³ Persecution of Ahmadis: "Difficulty in Employment"
<https://www.persecutionofahmadis.org/persecution-activities/employment>

²⁴ Daud Khattak, Frud Bezhani, "Pakistan's Ahmadis Face Rising Persecution, Violence"
<http://www.rferl.org/content/pakistan-ahmadis-persecution-violence/24992861.html>

a busy street, for example. However, there are in fact several physical markers that may be recognized, especially amongst the women. The Ahmadi style of *burqa* and *niqab* differs slightly to the non-Ahmadi style, the latter donning more Arabized styles whereas the Ahmadi burqas may resemble the *kameez* with slits on the side.

While dependence on local and national authorities has become a futile means of ensuring security in mixed neighborhoods and large cities, especially given the lack of defense and prosecution in the Lahore mosque attacks of 2010 and the Gujranwala burnings in 2014, Rabwah, over the years, is becoming a far more insecure site as outside influences have been encroaching and gaining momentum in and around the town. Given the failures of the state to protect the community, the Ahmadis have resorted to developing and sustaining their own local community force comprised of volunteer members of the community and funded by the community in Pakistan and abroad. Armed local community guardsmen and screening checkpoints can be seen in front of and around all the major buildings and sites in Rabwah. However, as tensions heighten and martyrdoms increase, the local force is becoming less of a solution. In May 2014, two gunmen on motorcycles opened fire on Dr. Mehdi Ali Qamar, a visiting American cardiologist volunteering at Rabwah's Fazle Umar hospital. The targeted killing took place early in the morning in front of the city's Ahmadi graveyard Bahishti Maqbara while he was visiting the graves of loved ones with his wife and son.²⁵

This incident was met with great outcry from the community internationally not only because it targeted a foreign doctor, as prestigious and educated members of any group in question are often the objective of target killings, but it was also one of the

²⁵ USA Today: "US Doctor Killed in Pakistan in Front of Family" May 26 2014
<http://www.usatoday.com/story/news/world/2014/05/26/doctor-shot-pakistan/9614613/>.

gravest incidences to have taken place within Rabwah's boundaries. The killing provoked a heightened sense of insecurity and confirmed the notion that Rabwah is no longer a "safe haven." Many have suggested that informants among the community security force disclosed information about Dr. Qamar's visit and daily routine to help plan the attack, which has thus led to an amplified sense of distrust.

Conferences

Apart from the media, anti-hate sentiment is broadcasted widely through frequent anti-Ahmadi rallies throughout the year and in various parts of the country. Much like anti-Muslim rallies in the West, these rallies take similar shape and form and are greatly influential. This section briefly summarizes the scope of these rallies and their impact on the community.

Large anti-Ahmadi conferences and rallies are frequently held throughout the year, attended by many key political figures of the Pakistan Muslim League and other political parties. The annual *Khatam-e-Nubawat* conferences that are held in and around Rabwah, often correspond to election season and seek to assert, remind and reaffirm the place of the Ahmadis in Pakistan and the Blasphemous nature of Ahmadi activities. These conferences, hosted by religious political parties *Jamaat-e-Islami* and *Jamaat-e-Ulema-Islaami* and their counterparts, feature long lists of resolutions and demands including the removal of Ahmadis from civil and public posts, changes to the national educational curriculum to feature the anti-Ahmadi stance, declaring the Ahmadi Youth Organization as a terrorist organization, and lengthy lists of businesses that ought to be boycotted.²⁶

²⁶ Persecution of Ahmadis: "Anti-Ahmadiyya campaign in Pakistan 2012)
<https://www.persecutionofahmadis.org/anti-ahmadiyya-campaign-in-pakistan/>

These conferences that take place frequently throughout Pakistan, including large ones in Karachi and Lahore, composed of the dogmatic mob, exploitative political factions and the vocally and visibly powerful clergy, serve to each year fill in all of the gaps that followed the 1974 amendments and Zia's policies. They serve to ensure that following each conference, no social, educational, political, economic facet be left overlooked vis-à-vis the "Ahmadi problem." The use of religious processions and space as a display of hierarchal claim to public space is not an innovation of recent years but rather a huge part of South Asian history and have in the past led to many riots and massacres. They are now far more easily advertised and propagated through various media platforms. The nature of these processions correspond and link the social attitude of the masses directly to the policies and laws of the nation, as the resolutions and proposals made at these conferences greatly influence the proceeding lawmaking and rise in Blasphemy cases. The marriage of the mob with the law is indeed a dangerous union. These conferences are incredibly successful in not only rousing the social opinion and leading to mob attacks and growing discrimination but also enabling the fulfillment of these resolutions in the political arena and preserving the "purity" of Pakistan.²⁷

Section II: Secularism, Religion and National Identity

In order to understand the way religion has played a role since Pakistan's birth and understand the historical and political forces that have created the conditions towards the community as described in Section I, it is important to analyze three factors that have

²⁷ "Plight of Rabwah (2011 – 2012)" *Persecution of Ahmadiyya Muslim Community*. <https://www.persecutionofahmadis.org/plight-of-rabwah-2011-2012/>.

generated the Ahmadi question, namely, religion, national identity and law, especially through a historical perspective. In this section, I will be looking at the idea of “vision and division,” and analyze the visions of three of Pakistan’s main spokesmen- Jinnah, Iqbal and Maududi. I will examine how over time, through significant political and historical events, Jinnah’s Pakistan, which embodied the values of both the Muslim identity and secularism, had been diluted and Ahmadis found themselves at the receiving end of this dilution.

It is important to begin to discuss issues of identity and the state and the role of religion related back to the contextual understanding of the starting point—the creation of Pakistan. To begin to understand the plight and the origins of persecution against Ahmadis in Pakistan, one must first consider the conditions in which the nation of Pakistan was formed during the 1947 Partition of India. Rogers Brubaker argues that the institutionalization of nationhood and nationality is part of a system of “vision and division,” and classification that is bred from conception, an idea and manifested into material realities in the creation of a state.²⁸ I would like to examine these ideas further and discuss how the implications of religious boundary-making serve to consolidate power and political identity when a state is in its infancy and as the state develops over time. It is this very process of “vision and division” that had caused a shift from the balance of secularist and religious values embodied in Jinnah’s Pakistan and has politicized and used religion as a means of exclusion and control over identity.

²⁸ Brubaker, Rogers. 1994. “Rethinking Nationhood: Nation as Institutionalized Form, Practical Category, Contingent Event,” *Contention*, Vol.4, No.1, Fall 1994.

Despite this shift, through a narration of three visions of Pakistan and a brief history of the nation, I will map out where and how secularism as a non-Western variant had manifested itself in different moments of time.

Jinnah's Pakistan

Muhammad Ali Jinnah, the founder and leader of the new Pakistan sovereign state expressed visions of Pakistan that were as Khan writes, “founded on consensual and pluralistic grounds, as a model of welfare, community, and popular sovereignty. He believed in the supremacy of the general will rather than of the religion of Islam *per se*.” In essence, the focal sense of Pakistani nationalism arose from a combination of these elements, including of course, the struggle for representation of elite minority Muslims as India decolonized. Nevertheless, all the justifications for Pakistan were encapsulated within a “Muslim identity” of pluralistic grounds and religious freedom. In his article *Persecution of the Ahmadiyya Community in Pakistan: An Analysis Under International Law and International Relations*, Amjad Mahmood Khan argues that not only was the Partition of India and the formation of Pakistan a means to solve purported Hindu-Muslim conflicts, but it was also a way to gain and seek “political identity, empowerment and constitutionalism.”²⁹ Yet, Jinnah’s Pakistan as he envisioned and the Pakistan of the Muslim League was what Khan described as “based on the primacy of the people; it was a non-sectarian, non-denominational, and purely Islamic ethos.”

Alfred Stepan’s notion of twin tolerations may be used to understand Jinnah’s vision for Pakistan as a democracy based on the pluralistic values of Islam. The idea of “twin tolerations,” as Stepan describes, is “the minimal boundaries of freedom of action

²⁹ Khan, Amjad Mahmood 2003 “Persecution of the Ahmadiyya Community in Pakistan: An Analysis Under International Law and International Relations. *Harvard Human Rights Journal Vol 16*. 220.

that must somehow be crafted for political institutions vis-a-vis religious authorities, and for religious individuals and groups vis-a-vis political institutions.”³⁰ Jinnah’s Pakistan seemed to embody this idea of balancing Islam in a new Muslim-majority homeland with both Islamic and secular values of democracy. Yet it has been contested if Jinnah had implied a secular-like state for *Muslimhood* from this address. From his speeches and writings, the Pakistan that Jinnah envisioned was a non-theocratic, secular democracy based on the Islamic values of “liberty, equality, and fraternity.”

In his rendering of Charles Taylor’s three forms of Western trajectories of secularity—the “retreat of religion from the public sphere,” the “decline of religious beliefs and practices,” and “the extent of behavioral diversity,” Christophe Jaffrelot notes a fourth form of secularity, absent in Taylor’s framework—“religion as ideology,” as articulated by other theorists such as Ashish Nandy and Rajeev Bhargava.³¹ The idea of religion as ideology as a fourth form of secularism reflects the process of using religious language and the moral and truth content found in religious doctrine to uphold the rights of groups and individuals of the nation. It is the process of speaking through a religious moral ethos and using religious mediation to cultivate a state-implemented framework of rights and tolerance for all religious and minority groups. While Taylor’s three forms of secularism illustrate the West’s trajectory with religion in the state as retreating from the public sphere, this fourth form of secularity seen in India, as Bhargava explores, and in Pakistan at different moments in its history are important to understand religion as an ideology, as a form of modern secularism and national identity. Essentially, it is the idea

³⁰ Stepan, Alfred. “Religion, Democracy and the ‘Twin Tolerations.’” *Journal of Democracy*. October 2000. 2

³¹ Jaffrelot, Christophe. “Secularization without Secularism in Pakistan.” *Centre d’études et de recherches internationales*. September 2012.

of not removing religion from the table when discussing the traditional view of secularism but rather it is keeping it at the forefront and using religion to mediate solutions and formulate repair. Jinnah's vision of Pakistan exemplifies this fourth secularity. It shows the progressive struggle to find a balance between the state and religion as an ideology, as a cultural driver of identity and as a pluralistic value system that seeks to enrich and accommodate rather than either remove religion altogether or permeate religion into the state into theocratic and authoritarian ways. Jinnah's vision, the subsequent Objectives Resolution under Liaquat Ali Khan, Pakistan's first prime minister, and the small but strengthening secularization efforts born out of decades of frustration in Pakistan today embody the fourth secularity. To understand Jinnah's vision with regards to religion as an ideology, it is best to examine Jinnah's own words. In an address from February 1948, Jinnah said,

"I do not know what the ultimate shape of this constitution is going to be, but I am sure that it will be of a democratic type, embodying the essential principles of Islam. Today, they are as applicable in actual life as they were 1300 years ago. Islam and its idealism have taught us democracy. It has taught equality of men, justice and fairly play to everybody. We are the inheritors of these glorious traditions and are fully alive to our responsibilities and obligations as framers of the future constitution of Pakistan. In any case Pakistan is not going to be a theocratic State -- to be ruled by priests with a divine mission. We have many non- Muslims -- Hindus, Christians, and Parsis -- but they are all Pakistanis. They will enjoy the same rights and privileges as any other citizens and will play their rightful part in the affairs of Pakistan."³²

Jinnah frequently emphasized toleration and accommodation in the new Muslim homeland for religious minorities. At his famous address at the Karachi Club on August 11th, 1947, Jinnah said,

"If you change your past and work together in a spirit that every one of you . . . is first, second and last a citizen of this State with equal rights, privileges, and

³² Jinnah, Muhammad Ali. "Jinnah's Broadcast to the People of America, February 1948." <http://m-a-jinnah.blogspot.com/2010/04/pakistan-and-her-people-ii-feb-1948.html>

obligations, there will be no end to the progress you will make. We should begin to work in that spirit, and in the course all these angularities of the majority and minority communities, the Hindu community and the Muslim community—because even as regard to Muslim you have Pathans, Punjabis, Shias, Sunnis, and so on—will vanish. To my mind, this problem of religious differences has been the greatest hindrance in the progress of India. Therefore, we must learn a lesson from this. You are free; you are free to go to your temples, you are free to go to your mosques or to any other places of worship in this State of Pakistan. You may belong to any religion or caste or creed—that has nothing to do with the business of the State.”³³

Not only did Jinnah emphasize the role of equal citizenship for all minorities, he repeatedly expressed particular concern for the position of the Ahmadis in the new Muslim homeland, while others had long been advocating for their exclusion from both the Muslim community in India, specifically the All-India Muslim League as well as from the new nation as a whole. At a press conference in Kashmir in January 1988, Jinnah responded to the Ahmadi question in regards to the All-India Muslim League (AIML) by stating,

“...as far as the constitution of the All-India Muslim League is concerned, it stipulates that any Muslim, without distinction of creed or sect, can become a member, provided he accepts the views, policy and programme of the Muslim League, signs the form of membership and pays the subscription.”³⁴

When asked further about his views on Ahmadi *Muslimness*, he responded by saying, “What right have I to declare a person non-Muslim, when he claims to be a Muslim.” Furthermore, at an address in May 1944, Jinnah said, “Ahmadis are Muslims, if they say they are Muslims and no one, not even the sovereign legislature, has the right to

³³ Jinnah, Muhammad Ali. “Mr. Jinnah’s presidential address to the constituent assembly of Pakistan.” August 11, 1947.

http://www.pakistani.org/pakistan/legislation/constituent_address_11aug1947.html

³⁴ “Mr. Jinnah Regarded Ahmadis as Muslims.” *The Light & Islamic Review* 69, no. 1 (February 1992): 15–18.

say otherwise.”³⁵

Sociologist Sadia Saeed notes how at this time, the Ahmadi *Jamaat* (community) probed their belonging in either the Congress or the AIML given their religious status and the AIML’s definition of Muslim membership and wrote to Jinnah regarding this question. While Jinnah’s response merely indicated the change in leadership from Provincial to District Level leagues, and that “it is for you to adopt such course as you may consider proper,” Liaqat Ali Khan, when approached by the Ahmadi Jamaat with the same question responded with nuanced sarcasm by reiterating that it was up to the Ahmadi Jamaat’s will and the religious status of the community according to the *Ahrari ulema*.³⁶ These correspondences and clear distancing of Liaqat Ali Khan from the community in regards to their place in the AIML exhibit a different realm beyond the seemingly promising words of Jinnah with regards to the Ahmadis.

Maududi’s Pakistan

While Jinnah’s charismatic words embodying a pluralistic Muslim state seem unfathomable given the status of the Ahmadis presently, Jinnah had not been the sole spokesperson and force behind the vision of Pakistan. At the time of the birth of the new nation of Pakistan, there was a lack of a clear consensus on what the role of Islam would be in this new state. It is important to note Brubaker’s idea of “vision and division” in the process of nation-making here. While the motive for those who agreed on a Muslim homeland separate from India had been relatively uniform, there were multiple visions of how a future Pakistan and Pakistani identity would materialize, and the question of the

³⁵ Hamdani, Yasser Latif. “Are Ahmadis Non-Muslim?” *Pak Tea House*, December 15, 2011. <http://pakteahouse.net/2011/12/15/are-ahmadis-non-muslims/>.

³⁶ Saeed, Sadia. “Politics of Exclusion: Muslim Nationalism, State Formation and Legal Representations of the Ahmadiyya Muslim Community in Pakistan.” *University of Michigan*, 2010, 6–7

place of the Ahmadis served as a strong catalyst for determining the role of Islam in the future homeland. Pakistani philosopher and leader of Islamist political party, *Jamaat-e-Islami* Abdul Ala Maududi was an incredibly influential Islamist leader not only in Pakistan but his novel ideas on political Islam resonated greatly with former leaders of the Muslim Brotherhood and other Islamist groups as well. Maududi was a staunch follower of Wahabbi- Sunni Islam and he opposed secularization. He was also a strong voice in propelling the anti-Ahmadi movement.

Maududi's ideas on Islam's role in the new state and the particular attention given to the Ahmadi question played a huge role in the crafting of the new nation. The language and ideas that were being negotiated at this moment in Pakistan sought to both understand and publicly disseminate what the role of Islam and the position of the Ahmadis would be. While Jinnah's vision had been a pluralistic one based on both frameworks of secularism and the democratic and tolerant values of Islam, the driving forces were most certainly the more stringent religious parties, in particular Maududi's influential *Jamaat-e Islam* (JI) and other political figures who spoke with greater volume and long-term influence on the shaping of Pakistan as an Islamic state, and embarked on the claim to Pakistan, especially after Jinnah's death a year after the creation of the new state.

Conservative religious clergy and political parties, like JI and *Jamiat-Ulema-e-Islam*, although they opposed the Muslim League and a separate Muslim state initially, they did not fail to quickly define that this Muslim homeland/ Islamic state would entail a strict and rigid Wahabbi-informed political Islam. It was through this vision that the *Muslimness* of the Pakistani identity had been outlined and the exclusion and inclusion

along solid lines of restricted citizenship had been drawn.

After Jinnah died in 1948, under the weaker leadership of Liaqat Ali-Khan, the JI and its counterparts found a more accessible platform. Ayesha Jalal writes: “[t]he great constitutionalist could not have conceived that the country he had established would honor his legacy by turning law into an instrument of denial for the underprivileged and a tool to be manipulated for personal ends.”³⁷ The *Jamaat-e-Islami*, along with other conservative religio-political groupings such as the *Majlis-i-Ahrar-i-Islam*, a militant organization formed in 1931, through rallies and processions throughout Punjab, vocally propagated in 1949 the demand to declare Ahmadis as non-Muslim and remove all Ahmadis from official posts especially Chaudhary Muhammad Zafrullah Khan, Pakistan’s first Minister of Foreign Affairs, appointed by Jinnah. The Ahrar anti-Ahmadi movement intersected with the drafting of the Objectives Resolution under Liaqat Ali Khan, a preamble to the Constitution that shifted away from the secular-like state Jinnah had envisioned to the incorporation of Islam in some key regards. Ayesha Jalal writes, “[t]his was the opening religio-political groups seized to claim authenticity for their own brand of Islam, bristling with exclusivist, chauvinistic, and misogynistic social values.”³⁸ Despite this shift from Jinnah’s vision and the growing demands of movements such as the *Ahrar*, the state had maintained the protection of the fundamental rights of all minorities in the earlier decades of the new nation³⁹

Iqbal’s Pakistan

Writer, philosopher and founding father Allama Iqbal also played an immense role in defining the Pakistani cause and characterizing the lines of exclusion and

³⁷ Jalal, Ayesha. *The Struggle for Pakistan*. Harvard University Press. 2014. 58.

³⁸ Jalal, 58.

³⁹ Saeed, 156–57

inclusion vis-à-vis the Ahmadis. Ali Usman Qasmi argues that Iqbal was particularly effective because his anti-Ahmadi approach juxtaposed with that of the *mullahs*, or the religious clergy. While the mullahs were seen as semi-educated and counter-progressive, effective insofar as the mobilization of a certain class of the population, Iqbal sought influence among the political elite that was oriented towards Islamic modernism and within its lexicon, Iqbal was able to remove the Ahmadis from the Islamic and Muslim identity and considered them non-Muslim. Qasmi writes, “[t]hrough the intermediary of Iqbal, the infeasibility of the mullah’s vision for Pakistan was given further ideological justification.”⁴⁰

Iqbal’s famous exchange with Jawaharal Nehru, the first Prime Minister of India and one of the founding fathers of India, before the Partition further expounded on the Ahmadi issue as a problem that the Indian Muslim community needed to resolve before attempting to create a new Muslim state. When Nehru asked Iqbal and the Indian Muslim community of the status of the Ahmadis and the overall “reactionary conservative” nature of the Muslims, Iqbal responded with his note, *Islam and Ahmadism*, in which he emphasized that the construction of the Islamic state would begin with separating the Ahmadis from the larger Indian Muslim community, which allowed for a reinforcement of a more conservative form of Islam embedded within the system of the new state and not the Islamically plural and secular state that Jinnah had envisioned. Iqbal was vocal in his criticism towards the Ahmadi community in India and the idea of a secular state but moreover, he was an influential critic of democracy as a Grecian-Western democracy

⁴⁰ Qasmi, Ali Usman. *The Ahmadis and the Politics of Religious Exclusion in Pakistan*. Anthem Press, 2014. 23

based on capitalist greed and imperialism.⁴¹ Iqbal's vision for an Islamic state and his ideals on Western democracy, although they paralleled the views of Maududi and other "mullah," or religious clergy figures, Iqbal was able to leverage far greater support for his views because of his charismatic and intellectual approach to the questions the pioneers for the new nation had been grappling with.

The Dilution of Jinnah's Vision

When a nation is founded on such schizophrenic foundations with regards to the role of religion and the state, the subsequent trajectory of identity-crafting greatly depends on which vision monopolizes most successfully. The dilution of Jinnah's secular-like, pluralistic vision of Pakistan and the conglomeration and influence of visions of an Islamic Pakistan paved the way for the next few decades which sought to define Pakistan, arguably, for its inherent purpose as a politicized Islamic state as envisioned by Maududi and Iqbal. It was during the regimes of leader and political entrepreneur Zulfikar Ali Bhutto in the 70s and military dictator Zia-ul-Haq in the 80s that solidified the Islamization/Sunnization project and successfully established constitutional laws and policies explicitly excluding the Ahmadis. It was during Bhutto and Zia's regimes in the 70s and 80s that the Blasphemy laws were reestablished and strengthened.

The next few decades would witness the growing influence of militant jihadist movements, the irreversible impact of the Soviet invasion of Afghanistan and the U.S. support for the anti-communist *mujahideen* mission, Bhutto and Zia's Wahabbization/Islamization, the rising extremism following 9/11 and the West "War on

⁴¹ Ishrat, Waheed. "Iqbal and Democracy."
<http://www.allamaiqbal.com/publications/journals/review/oct93/4.htm>

Terror,” and the breakdown of the possibility of Jinnah’s pluralistic secular state that embodied Islamic ethos. The fluctuation of military versus civilian rule would periodically stunt democratic growth and contribute to the ongoing struggle for a stable democracy that exists today. Mullahs rose to power through widespread influence in the social and political realms and allowed for the re-establishing of Pakistan as truly a “Land of the Pure,” in the eyes of religious fundamentalists and Islamic parties.

From Pakistan’s conception, this hegemonic influence was the beginning of a re-shaping of a “Pure”-istan (“Pak”= pure) by seeking out what was deemed as un-Islamic and “impure.” Maududi’s JI grew in power as an important pressure group. Ahmadis were targeted as *Wajibul Qatal*, or “worthy of killing,” due to the level of threat they posed for the majority Sunni Muslim identity. Pakistan’s clergy continued to vocally declare Ahmadis apostates and deserving of death as rallies, processions and conferences strengthened. Saeed argues that the plight of the Ahmadis took full form during and following the Bhutto regime and that Pakistan’s relationship to the Ahmadis manifested in three phases: the moment of accommodation during the first three decades, followed by the moment of exclusion during Bhutto’s regime and finally, moment of criminalization, during Zia’s regime and onward.⁴²

The 1956 Constitution declared Pakistan as an Islamic Republic and that the Head of State must be a Muslim along with adopting the provisions of the Objectives Resolution. This system with the adoption of the Objectives Resolution can be conceived as fitting one of Alfred Stepan’s models of the *Varieties of Democratic Patterns of Religious-State Relations*. Stepan describes the “Nonsecular, but Friendly to Democracy” model as having an established church and official religion that, apart from the Muslim

⁴² Saeed, 163-164

appointment of the Head of State, is “accorded no constitutional prerogatives to mandate significant policies, and all “religious groups can compete for power in political society.”⁴³ However, many cite the Objectives Resolution as the first step following Jinnah’s death that opened the future trajectory of the Islamization project, establishing Islam as the state religion but not yet a theocracy. Nonetheless, the Objectives Resolution maintained several fundamental rights including religious freedom and minority rights and protections. This model is listed under ‘relatively stable patterns,’ and during first several years of the new state under the Objectives Resolution, this model did provide temporary stability balancing both Islamic and secular foundations of democracy as Ahmadis and other minorities enjoyed a certain degree of accommodation and political mobilization, despite pressures from the far right and even after the death of Jinnah.

Had the subsequent series of politically expedient leaderships, and the damaging nature of the relationships with the Gulf and the United States not surfaced, the potential stability and balance between Islam and the state and the balance between the multiple visions that the Objectives Resolution guaranteed may not have been eroded. The irreversibility of the erosion of Jinnah’s secular-like state manifested during this time, with its reparations still being felt today. The establishment and strengthening of the Blasphemy laws in the 70s and 80s significantly triggered this erosion and the persecution of the Ahmadis. As I had outlined earlier in the paper, while the current Constitution derived from the Objectives Resolution guarantees several fundamental rights in Part II, Articles 8-28 with regards to religious freedom, the Blasphemy laws and the impact they have had on the protection of religious minorities outweigh and counter those constitutional rights.

⁴³ Stepan, 42.

Given the scope, infiltration and nature of political Islam in Pakistan, one that is paired with staunch nationalism and a product of so many different external and internal political factors, what can be understood in terms of secularism and the struggle for repair? How can we begin to address this struggle in view of the rights of Ahmadis and other groups and also have a deep understanding of the way in which Islam functions in Pakistan? Because this issue deals directly with religion and the state, is the Western understanding of secularization as separating religion from the state a problematic process for repair or can secularism be understood in a language that is different from the inadequate language of the West? Using Jinnah's vision as a starting point, what can be understood about rights, religion and the state that acknowledges the negotiation of religion rather than the negation of religion? Despite the trajectory of exclusion that has manifested itself in Pakistan especially during the 70s and onward, the struggle for repair still remains and Jinnah's vision of Pakistan can still be considered relevant.

In the following section, I will attempt to unearth a non-Western variant of secularism using the example of Pakistan that is better suited to address these issues than traditional Western understandings of secularism. It is easy to simply conclude that Pakistan has no hope with these issues given the dominating trajectory that political Islam has taken in Pakistan. I am addressing this failure—the lack of rights for Ahmadis, the failure of the state to protect them, the worsening of conditions, and the strengthening of nationalism all amounting to the sheer difficulty of repair. With an acknowledgment of these issues, I am then arguing that the solution or approaches to a solution cannot be to simply secularize in the Western understanding of secularism. Starting with small steps and nuances it is necessary to understand how religion works in Pakistan, understand

where and how tolerance can be inserted and how "secularism" can take shape outside of the West. It is this framework that ought to be kept in mind when approaching the Ahmadi issue today and formulating solutions.

Section III: Unearthing a non-Western Variant of Secularism

Negotiation not Negation

Historian Ayesha Jalal stated that, “[s]ecularism does not mean negation of religion, and therefore Jinnah was consistent in his approach.”⁴⁴ In this section, I will unpack secularism in its traditional Western understanding and discuss the features of a non-Western variant of secularism. I will then explore ways in which ways this variant of secularism has been attempted in Pakistan. I will then assess a few key templates and examples in the Islamic world where states have exhibited a pluralistic balance of tolerance and religious ethos.

The traditional definition of secularism calls for the removal of religion from all aspects of the public sphere, most notably adopted by theorists such as John Rawls. It is traditionally believed to be a product of modernism and the retreat of religion from public space as science and modernity advance. Freedom, liberty and fraternity are the traditional features of secularism, in the terms developed from the French Revolution. This is a view of secularism that has shown to be incredibly insular and problematic. Post-secularists have begun to engage with the acknowledgement that religion cannot be simply taken out of the public sphere but rather it must be addressed and given some

⁴⁴ Forman Christian College: “Revisiting Pakistani History with Dr. Ayesha Jalal” May 16 2012 <http://www.fccollege.edu.pk/revisiting-pakistani-history-with-dr-ayesha-jalal>

context and space as long as it does not impede the systems of the modern state. Perhaps post-secularism may be a better model through which secularism in Pakistan, however fragmented, may be approached; yet still, this process requires an unpacking of the Euro-hyper-reality of the concepts in order to better understand their application in the non-West. As I mentioned before, Charles Taylor has sought to understand secularism through three forms, "as that which is retreating in public space (1), or as a type of belief and practice which is or is not in regression (2), and as a certain kind of belief or commitment whose conditions in this age are being examined (3) (A Secular Age, p. 15)." Although Taylor writes from a post-secularist lens, it is important to note the difficulty in applying any of these three renderings of secularism to Pakistan or anywhere in the non-West. Jaffrelot suggests a fourth secularity applicable to the non-West that registers *religion as ideology*, as I had discussed earlier. Others including Rajeev Bhargava have also sought to explain secularism in view of religion as ideology in the non-West as distinct and used their respective examples to highlight this. Bhargava engages particularly with Indian distinctiveness. He writes,

"Ideals are rarely if ever and never simply transplanted from one cultural context to another. They invariably adapt, sometimes so creatively to suit their new habitat that they seem unrecognizable. This is exactly what happened to secularism in India. Indian critics of secularism neither fully grasp the general conceptual structure of secularism nor properly understand its distinctive Indian variant. Indian secularism did not erect a strict wall of separation, but proposed instead a 'principled distance' between religion and state. Moreover, by balancing the claims of individuals and religious communities, it never intended a bludgeoning privatization of religion. It also embodies a model of contextual moral reasoning. All these features that combine to form what I call contextual secularism remain screened off from the understanding of these critics."⁴⁵

The 'principled distance' Bhargava proposes is an important starting point in understanding the attempt at a functioning balance between religious ideology and state

⁴⁵ Rajeev Bhargava "The Distinctiveness of Indian Secularism" T.N. Srinivasan (ed.) *The Future of Secularism*, Oxford University Press, Delhi, 2006, pp.20-53.

protections of rights through, for example, Jinnah's Pakistan and the subsequent period of accommodation in the first few decades following Pakistan's birth. Examining these concepts and distinct secularisms of the non-West, and applying them to the case of Pakistan is an important starting point in recapturing the balance between religion and the state as Jinnah had proposed. As described earlier in the narration of his vision, Jinnah's vision had been a balance of both the rights and pluralism in Islam and the rights in the universal human rights system with regards to protection of minorities. Therefore, his vision is an example of a distinct secularism exclusive to Pakistan. Jinnah spoke from an Islamic ethos, emphasized the rights and protections of minorities and religious freedom inherent in the Islamic doctrine and in this way demonstrated the potential for a 'principled distance,' as Bhargava describes.

With regards to rights, voices like Jinnah's have emphasized the Islamic doctrine of *huququl ibaad*, translated literally as the rights of man. Inherent in Islam is an entire system of human rights that obligate believers to fulfill these rights and duties to their fellow mankind. These rights include providing for the poor, protecting the weak from oppression and abuse, justice, freedom of belief, protecting others from one's own "hands and tongue," the rights of orphans, the rights of women, the rights of the elderly, the rights of the ill, freedom of slaves, the rights of the child, and a respect and promotion of human dignity.⁴⁶ The Quranic doctrine that states "there is no compulsion in religion," categorically rejects coercion in the name of religion in all aspects of social life. This is the language to use in order to address both religion and rights in Pakistan. As I had described earlier, the Constitution of Pakistan parallels many of these rights and ensures state protection of these rights as stated in Section II, Chapter 2, Article 36 that "the State

⁴⁶ Azra Awan "Human Rights in Islam" <http://www.whyislam.org/islam/human-rights-in-islam/>

shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.”⁴⁷

Sociologist Jurgen Habermas, in his post-secularist understanding of religious culture, identity and “multiple modernities,” best encapsulates the necessary negotiation process required in sites like Pakistan, where religious moral ethos is the truth content with which rights are understood. In his discussion of negotiating religion in the public sphere, Habermas writes, “[r]eligious traditions have a special power to articulate moral intuitions, especially with regard to vulnerable forms of communal life. In the event of the corresponding political debates, this potential makes religious speech a serious candidate to transporting possible truth contents, which can then be translated from the vocabulary of a particular religious community into a generally accessible language.”⁴⁸

An emphasis on these particular truth contents, despite the conflict that manifests from other, more hegemonic truth contents, is an important starting point in understanding the functionality and potential of religious worldviews as a whole. Inherent in the religion are rights and an emphasis on justice—the problem lies in mapping out where and how religion became distorted, manipulated and politicized to override these tenets that speak of tolerance. Even a discussion on the Blasphemy Laws, a set of laws in the Pakistan penal codes adopted not from the religion itself but from colonial British India will demonstrate the sheer distance of the Islamic doctrine and the politicization of these laws. Many laws in the Islamic doctrine, which had been founded in order to reduce conflict rather than to exacerbate, require a meticulous system of witness validation and

⁴⁷ Constitution of Pakistan, “Fundamental Rights and Principles of Policy,” <http://www.pakistani.org/pakistan/constitution/part2.ch2.html>

⁴⁸ Habermas, Jürgen. “Religion in the Public Sphere,” *European Journal of Philosophy* 14:1 (2006). 10

genuine proof before any prosecution can be formulated.

This is not the case with the Blasphemy Laws in Pakistan. The latter have simply become a tool through which petty conflicts are channeled and exclusion and hate are solidified. What this contrast speaks to is the potential of understanding and the language from within that can be used to mobilize and call for change, albeit this change may be incredibly gradual and distant and requires incredible nuance. It is not secularism in the Western understanding of separation and negation, but secularism as a balance and negotiation and as an umbrella term for tolerance, rights and justice inherent in the faith as truth contents that can be potentially delivered to those who believe and those who rule the state. While the Constitution explicitly grants freedom of religion and specific safeguards regarding religious discrimination, the Blasphemy Laws of the Penal Codes meticulously outline restrictions on the Ahmadi faith on nearly all facets of Ahmadi social, political and public life. In order to begin dismantling the potency given to the Blasphemy Laws, the rights inherent in Islam, the rights enshrined in the Constitution and the pluralistic balance Jinnah envisioned for the nation of Pakistan must rematerialize.

Reversing the Irreversible: Pakistan's Attempts at Repair

Despite the forceful trajectory of Wahabbism and nationalism, especially seen following the leaderships of Bhutto and Zia, a few attempts have been made to counter these processes and a few continue to strive to do this even today. Several grassroots human rights movements and politicians have vocalized their criticism of the Blasphemy Laws as having no place in Islam nor in the Pakistani constitution, which grants several fundamental rights as I have discussed. Political attempts of unearthing secularism in its Pakistani variant made by the leaderships of Benazir Bhutto and Pervez Musharraf tried

but failed to succeed, not just because of hostilities from the anti-secular far right and Islamist parties but because of a breadth of other political reasons and problems external to this debate that weakened their potential.

Benazir Bhutto, the first female Muslim prime minister who ruled Pakistan for two terms in the late 80s and early 90s had attempted to unearth the balance conceived by Jinnah by attempting to promote secularism and democracy while speaking from an Islamic ethos. In her book, *Reconciliation: Islam, Democracy and the West*, Bhutto wrote, “[d]emocracy was a consensus emerging from the free expression of the will of the small community as well as the implementation of Quranic ideals that we know to be intrinsic to democratic society: tolerance, pluralism, justice, law, equality and a fair economic system.”⁴⁹ During her term, Bhutto particularly attempted to address women’s issues dealing with stringent laws as well as internal ethnic tensions. However, despite being seen as a leader promoting secularism, her legacy has been fraught with convictions of corruption, political entrepreneurship much like that of her father, and convictions of indirect political recognition of the Taliban in Afghanistan.⁵⁰ If these external political factors and inconsistencies had not tainted her leadership, her emphasis on promoting secularism as a Pakistani variant may have proved a bit more successful.

Similarly, military dictator Pervez Musharraf, who ruled in the early 2000s had attempted to promote a secularism based on Islamic ethos, which he entitled the “Enlightened Moderation.” Addressing the Organization of Islamic Cooperation, an international organization of 57 member states in the Muslim world, in 2004 he stated,

“I say to my brother Muslims: The time for renaissance has come. The way forward is

⁴⁹ *Reconciliation*, Bhutto. P 73

⁵⁰ NBC News “Bhutto blames Taliban, al Qaida for explosions” Oct 19 2007
<http://www.nbcnews.com/id/21374344/>

through enlightenment. We must concentrate on human resource development through the alleviation of poverty and through education, health care and social justice. If this is our direction, it cannot be achieved through confrontation. We must adopt a path of moderation and a conciliatory approach to fight the common belief that Islam is a religion of militancy in conflict with modernization, democracy and secularism.”⁵¹

This strategy, like that of Bhutto’s, embodies religion as ideology, the fourth secularity Jaffrelot had proposed in its rendering of secularism, much like that of Jinnah’s. It holds the potential for a Pakistani variant of secularism that speaks from an Islamic ethos and does not see Islam, secularism and democracy as incompatible. However, like Bhutto’s promotion of secularism, Musharraf’s legacy has been filled with criticisms and inconsistencies diluting any possible actualization of his project. Musharraf has been, after all, a military dictator and head of an army that fueled the Islamization process under former military dictator Zia. Musharraf has also been criticized greatly for his relationship with the US and George Bush’s “War on Terror,” which significantly empowered extremism and resistance. He has also been reluctant to address issues such as the Blasphemy Laws, saying that it is a sensitive issue in Pakistan and cannot and should not be changed.⁵²

Despite this, those proposals have been built upon the skeleton of Jinnah’s vision in an attempt to unearth the possibility of a balance between religious authority and ideals and state implementation of rights—rights that are, as described above, not alien to the Pakistani constitution or even to the Islamic worldview. It is problematic to view the Pakistani state, the Pakistani people and the religion of Islam as monolithic entities that are static and absolutely resistant to change despite the seemingly irreversible trajectory

⁵¹ Pervez Musharraf “A Plea for Enlightened Moderation” June 1 2004
<http://www.washingtonpost.com/wp-dyn/articles/A5081-2004May31.html>

⁵² Myra Macdonald “Musharraf says Blasphemy cannot be changed” Jan 16 2011
<http://www.reuters.com/article/2011/01/16/us-pakistan-musharraf-interview-idUSTRE70F2DL20110116>

with regards to rights and particularly the Ahmadis.

Islamic Empire, State and Tolerance

There has been a lack of adequate study and focus on moments in history where Islam and tolerance was exhibited and worked in conjunction with the state to recognize rights of groups and individuals. In this section, I will explore the process of unearthing a non-Western variant of secularism and tolerance with particular regards to Islam and pluralism in other parts of the Islamic world. It may be useful to examine a few key models of both Islamic empire and the modern state as templates for Pakistan. In discussing empire, I will briefly discuss the Ottoman Empire and the ways in which moments of coexistence and distribution of religious rights not only emulated Islamic ethos but also benefitted the state. Similarly, the modern states of Indonesia and Senegal, both of which have a few contextual parallels to the modern state of Pakistan are key templates that can be examined to understand Islam, tolerance and the state and a non-Western variant of secularism. It is through these templates that we can examine the functionality of Islam and the state and begin to discuss nuanced solutions for inserting tolerance in the Pakistani case.

In her essay, *Empire and Toleration*, sociologist Karen Barkey examines toleration in the Ottoman Empire and argues that all societies both persecute and tolerate. However, much focus is allotted exclusively to moments of intolerance, especially in the non-West, and moments of tolerance are often overlooked. Similarly, when examining Pakistan, it is incredibly easy to map out the growing intolerance in Pakistan's recent history. However, it is important to reexamine moments of potential tolerance in

Pakistan's history such as Jinnah's vision and the earlier periods of accommodation by the Pakistani state. More generally, it is also crucial to examine moments of tolerance in Islamic history of other nation-states and empires to reflect possibilities for the future of Pakistan.

In the case of the Ottoman Empire, Barkey discusses the systematic moments of pluralism and tolerance during the rule that reflected similar visions of accommodation of a diverse society ruled by Muslim leaders. Fundamentally, the Ottoman Empire propagated and ruled through a pluralistic Islam and as Barkey argues, moments of intolerance were mostly paired with economic competition rather than religious hostilities. In periods of accommodation, non-Muslims, or *dhimmis*, were granted extra protections listed in a set of several religious rights and freedoms, a system based on the early Islamic model of diverse rule known as the Pact of Umar. Under the *millet* system, despite the ruling Islamic law of the state, non-Muslims and others were allowed to practice their own personal laws in lieu of the overarching Muslim law. As Barkey argues, this system had been successful in propagating tolerance through an Islamic system for centuries and moments of intolerance were distinctly correlated with external political and economic hostilities and changing contexts.⁵³ The millet system of the Ottoman Empire offers a template of a state that demonstrated the propagation of tolerance through an emphasis on group rights more so than individual rights.

In regards to the modern state, much attention is given to the failures of tolerance in the Islamic world and the incompatibility of secularism and democracy with Islam. Much of this focus is primarily on the Arab world and thus the correlation between

⁵³ Karen Barkey "Empire and Toleration" *Boundaries of Toleration*. New York: Columbia UP, 2014. Print.

Arabism and Islam is often erroneously highlighted. Pakistan, a nation that has been largely influenced by the Saudi regime over time, is also subject to this attention. However, when looking at the examples of Indonesia and Senegal, it may be argued that these provide a distinct template for a non-Western variant of secularism of Muslim-majority societies and that these templates ought to be examined when identifying differences and working towards solutions. Alfred Stepan highlights some of the ways in which Senegal and Indonesia have been relatively more plural, diverse and given the extent of the balance between Islamic ethos and secularism in these countries, Stepan highlights where his conception of “twin tolerations” has been more applicable.

It is interesting to note that Indonesia and Pakistan both gained independence in the same decade and during their infancies, at the time of constructing the new nations, similar conversations about the role of religion in the state were taken place. Like Jinnah’s vision of Pakistan, during the developing stages of Indonesia’s constitution, there had been visions that called for pluralism and secularism in light of the Islamic ethos. Over time, despite pressures from the far right conservative Islamist parties calling for stricter implementation of Islamic law, voicing similar visions like that of Pakistan’s process of “vision and division” propagated by Maududi and Iqbal, Indonesia maintained its original structural balance of religion and the state.

Today, while it is erroneous to overlook Indonesia’s own trajectory of intolerance, especially in regards to the Ahmadis, the Indonesian state, as Stepan argues, still provides a strong structure for the balance of twin tolerations and a negotiation of rights from within an Islamic framework. Earlier this year, under the new leadership of president Joko Widodo, a draft law was proposed before the government by the Ministry of

Religion that calls for the protection of all religious minorities, “including those outside the six major religions (Islam, Buddhism, Catholicism, Confucianism, Hinduism and Protestantism).”⁵⁴ Despite the many issues involving the treatment of minorities in Indonesia, this is a major step by the Indonesian state that demonstrates growth towards the recognition of rights, a template that Pakistan can and should gradually come to model.

Likewise in Senegal, Stepan notes the state practice and implementation of religion to generally follow the Islamic principle of “no compulsion in religion.” He notes that in regards to human rights abuses, such as female genital mutilation, Senegal has seen that projects initiated by both the state and human rights NGOs aimed to counter this cultural practice were far more successful when authoritative religious leaders vocalized the argument that there is no evidence within the Islamic doctrine or tradition to support the practice. The religious leaders in this case emphasized the language of individual rights inherent in Islamic doctrine that opposes the destruction of an individual’s human dignity and the oppression of women. The dissemination of religious truth content that indicates moral ethos from within the religion such as in the example of campaigns against FGM in Senegal should be seen as an important ingredient to secularism in the non-West. This is the negotiation of religious language and moral intuition in the public sphere that Habermas had discussed. In the case of Pakistan, not only can the Islamic moral ethos be highlighted in what Jinnah had envisioned and what is inherent in Islam itself, but in specific regards to blasphemy established in Pakistan under the British penal

⁵⁴ Library of Congress, Global Legal Monitor “Indonesia Law Proposed to Protect Religious Minorities” June 11 2015 <http://www.loc.gov/law/foreign-news/article/indonesia-law-proposed-to-protect-religious-minorities/>

code. The moral truth content that ought to be disseminated is how far removed the concept of blasphemy and its punishment is in the Islamic doctrine and tradition itself, much like the cultural practice of FGM. In both the Quran and the Prophethood, there are countless examples that counter the validity of blasphemy and its punishment.⁵⁵ It is the gradual process of unearthing and negotiating moral intuition from religious truth content in the public sphere that gives secularism in the non-West its distinctiveness. It is only through this process that a nation like Pakistan can gradually begin to discuss repair and work towards nuanced solutions of the violation of rights towards the Ahmadis and other religious minorities.

Reassessing Pakistan's Blasphemy Laws

After unpacking the dynamics of Pakistan's political history with regards to religion, the templates of toleration and rights in Islamic doctrine and history and most importantly, the crucial ingredients of secularism in the non-West that demonstrates religion as ideology, how can we begin to discuss nuanced solutions for Pakistan's Blasphemy laws? In this final section, I will be focusing on Pakistan's Blasphemy laws and discussing gradual solutions that take all of the above elements into consideration. Given the difficulty of repair, it is problematic to arrive at two propositions: to either remove the blasphemy laws in their entirety and attempt to secularize Pakistan in the Western understanding of secularism or render Pakistan as a failed state and offer no systematic solutions for the future. I argue that despite the difficulty of repair, Pakistan may move towards gradual change through a nuanced approach towards the Blasphemy Laws and a re-recognition of individual and group rights already inherent in both

⁵⁵ Aslam Abdullah "Is Blaspheme Punishable by Death?" May 7 2011 <http://www.islamicity.org/4274/is-blaspheme-punishable-by-death-in-islam/>

Pakistani and Islamic foundations.

As I had discussed earlier in the paper, many individual and group rights are enshrined in the Pakistani Constitution including security, the right to be free from arbitrary arrest, the right to a fair trial, the right not to be subject to forced labor, the right to be free from torture, freedom of movement and assembly, freedom of business, the right to freedom of speech, the right to information, freedom of religion, safeguards against taxation towards any specific religion, safeguards in educational institutions with regards to religion, right to education, non-discrimination in public places and property rights. These are rights that have been enshrined in the constitution since the birth of Pakistan and are comprehensive in addressing both individual and groups rights. However, as I have demonstrated, Pakistan's Blasphemy Laws, a set of laws in the Pakistani Penal Code have overridden and overpowered the weight of the rights in the constitution. The State has a responsibility to recognize and protect the rights of minorities and individuals in accordance to the rights in the constitution as well as rights in the Islamic doctrine and counteract the weight that has been given to the Blasphemy laws in the past few decades.

Jinnah's vision of Pakistan demonstrates the balance of Islamic moral ethos and state duty to protect individual and group rights. In order to begin to dismantle the weight of the Blasphemy laws, Pakistan must reassess Jinnah's vision and address the duty of the state to protect and empower religious minorities and individuals from these minority groups. As I had addressed earlier, Jinnah spoke from an Islamic ethos and emphasized the rights inherent in Islam.

The example of Senegal demonstrates how the state is using religious mediation

to address individual rights within local communities with regards to FGM. Using this template and applying it towards the case of Pakistan and Blasphemy, the state ought to establish systematic mediation projects in conjunction with religious leaders to address the scope of human dignity and Islam's opposition to oppression against minorities and individuals and reevaluate the concept of Blasphemy as un-Islamic. This may be done through serious monitoring of the nation's many *madrassas* or religious schools and state-run implementation of tolerance training courses in the curriculum.

The example I had provided of Indonesia's draft law which has proposed to add protective clauses to the Blasphemy laws is incredibly crucial because it offers a template towards gradual repair that may be applicable in the case of Pakistan. The draft law states that it "will protect everyone's right to religious freedom, as guaranteed by the Constitution. It includes the right to believe in whatever they choose to lay their faith in and the independence to practice their beliefs. We hope the bill can improve the quality of life."⁵⁶ The draft law indicates that it includes the protection of all religious minorities, including all those outside of the six registered faiths. More specifically, it proposes that the state will protect all religious minorities from attacks on places of worship and individuals and ultimately, the criminalization of Blasphemy can begin to subside.

The Pakistani Parliament should seriously consider adding protective clauses to the Blasphemy laws and reemphasize and reorient itself in light of the rights enshrined in the Pakistani constitution, the rights emphasized by Jinnah's vision and the rights inherent in Islam that all counter the weight of the Blasphemy laws. Using the example of

⁵⁶ Library of Congress, Global Legal Monitor "Indonesia Law Proposed to Protect Religious Minorities" June 11 2015 <http://www.loc.gov/law/foreign-news/article/indonesia-law-proposed-to-protect-religious-minorities/>

Indonesia, these clauses should not only guarantee protection of all religious minorities from attacks but also should develop serious state-run programs in conjunction with the Ministry of Justice that monitor and assess the abuse and overuse of the criminalization of Blasphemy. The state ought to demonstrate extra protection for high-level political figures such as Salman Taseer who speaks out against the Blasphemy laws publicly.

The skeleton of these potential programs and propositions is already present in the Pakistani constitution with regards to group and individual rights, in the Islamic doctrine, and in the vision of Pakistan's founding father Jinnah, who emphasized a prime example of secularism and tolerance in the non-West which allows religion to propagate moral ethos in the state. The careful and serious implementation of the proposals suggested above may begin to counteract the weight of the Blasphemy Laws and begin a gradual and nuanced trajectory towards repair.

Conclusion

The question of religion in the state of Pakistan and the Ahmadi question have always and will continue to be inseparable, as I have demonstrated in this paper, for it is against the Muslim identity that the function of religion in the state is defined. While the hastily applied glue that assembled the nation of Pakistan following Partition had not yet dried, the newly migrated populous of Pakistan already began scrambling for the answers to the questions—Who is a Muslim? Who is a Pakistani? The multiple visions of the new homeland as articulated by Jinnah, Maududi and Iqbal serve as a reflection of the multiple forces at play today in defining Pakistan's future, the role of secularism with Islam and the place of the Ahmadis. Jinnah's vision encompassed both secularism and

Islam—emphasized that they are not incompatible and that adherence to the values such as human dignity, pluralism, duty and tolerance that are present in Islam ought to be strived for and established. His vision, if it had been successfully administered following the birth of Pakistan, pays heed to the fourth type of trajectory of secularism that Bhargava describes, *religion as ideology*, when religious moral ethos prescribes state implementation of rights for minorities and individuals, and the balance that this type of secularism endeavors for. However, given the conditions met by not only the Ahmadi community but by so many in Pakistan, the hijacking of Jinnah’s vision of Islam and secularism by visionaries such as Iqbal and Maududi and the political expediency that subsequently constructed Pakistan have simultaneously destroyed it. Perhaps Pakistan is nearing a tipping point with voices and movements that strive to resurrect this balance and attempt to reverse the irreversible—bringing Jinnah’s vision of the balance between Islam and secularism back to the forefront by “reclaiming Islam” and “reclaiming Pakistan.” It is only through such gradual and nuanced unpacking of the Blasphemy laws and a balanced understanding of secularism and tolerance that human rights and dignity for the Ahmadis can begin to be cultivated.

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